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REPORT

OF THE

Secretary of State,

IN RELATION TO

THE CRIMINAL RETURNS

OF THE

STATE OF IOWA.

OFFICE OF SECRETARY OF STATE,

DES MOINES, DECEMBER SEVEN, 1857.

To the Honorable Assembly of the State of Iowa:

In compliance with Chapter 6, Sec. 48, of the Code of Iowa, I have the honor to report to you an abstract of the returns of the Criminal Convictions for the year 1857, embracing all the Counties from which returns have been received up to this date.

Respectfully submitted,

LELIAH SELLS.

Sec'y of State

AN ABSTRACT OF THE CRIMINAL RETURNS FOR THE YEAR ENDING NOVEMBER FIRST, 1857.

COUNTIES	Perjury	Conventions	Nature of Crime	Occupation	Habits	Read and Write	Sentence	Paid Pros. Att'y	Expense of County	Total Expense.
Albany	Oct 27	1	Assault and battery	Farmer	Good,	Yes	Fine \$20 and cost	245.00	629.16	874.16
Albany	Nov 14	1	Assault and battery	Farmer	Bad,	Yes	Fine \$20 and cost			
Albany	Nov 14	1	Assault and battery	Farmer	Quiet,	Yes	Fine \$20 and cost			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Unknown	Fine \$50 and costs,	215.00	160.00	475.00
Albany	Nov 14	1	Assault and battery	Farmer	Reported good,	Yes	18 years in penitentiary			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$50 and costs	2.00	1087.35	1089.35
Albany	Nov 14	1	Assault and battery	Farmer	Bad,	Yes	Fine \$40			
Albany	Nov 14	1	Assault and battery	Farmer	Bad,	Yes	Fine \$50			
Albany	Nov 14	1	Assault and battery	Farmer	Bad,	Yes	Three years in penitentiary			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$20			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$500,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$100,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$200,	340.00	356.10	696.10
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$100,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$20 each,	316.66	215.70	532.36
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$10 and costs,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Four years in penitentiary,	332.00	674.40	1006.40
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	271.17	745.21	1016.38	
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$5 and costs,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Ten days in county jail,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	One day in county jail and pay costs,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	One year in penitentiary and pay costs,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Two years in penitentiary and pay costs,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Twenty days in county jail, \$20 fine and costs,	440.00	3248.20	3688.20
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	120.00	9.00	129.00	
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$20,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$20,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$20 each,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$25,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$10,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	One month imprisonment in jail,	245.00	273.05	518.05
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$25 and commitment till paid,	390.00	210.00	600.00
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Imprisonment in penitentiary 4 years,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$40, commitment till paid,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Imprisonment in county jail 30 days,	333.00	400.00	733.00
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	2 yes, 1 unknown, 1 fine \$1, 1 fine \$2, 1 fine \$3,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$5,	225.00	3282.64	3507.64
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Imprisonment 10 years in penitentiary,		426.00	426.00
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	260.00	592.16	852.16	
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$20 each,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$20,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Imprisonment in penitentiary 6 months,	235.00	170.55	405.55
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Fine \$5 and costs,	200.00	1700.78	1900.78
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	160.00	1184.45	1344.45	
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Imprisonment in penitentiary,			
Albany	Nov 14	1	Assault and battery	Farmer	Unkn	Yes	Imprisonment in county jail,	400.00	332.55	732.55

RECAPITULATION.

No. of Counties reported, 25 / No. of Convictions, 71.

Crimes	Character, Habits, &c	Occupation.
Murder in 2d degree.	No. 2 Good,	No. 19 Farmers,
Assault and battery with intent to kill,	1 Temperate,	10 Doggery keepers,
Assault and battery,	20 Intemperate,	7 Grocery keepers,
Assault,	1 Bad,	21 Hotel keepers,
Affray,	5 Has been pretty good,	4 Merchants,
Grand larceny,	7 Doubtful,	3 Bakers,
Petit larceny,	4 Unknown,	7 Doctors,
Unlawful disturbance,	1 Can read and write,	56 Sheriffs,
Keeping gambling house,	1 Cannot read and write,	9 Painters,
Keeping house of ill-fame,	1 Unknown,	6 Carpenters,
Seduction,	1	1 Laborers,
Concealing stolen property,	1	1 Butchers,
Malpractice in office,	1	1 Timbers,
Selling liquor,	25	1 Attorneys,
		1 Washermen,
		22 Unknown,

27 Fines imposed,
1 Paid Prosecuting Att'y.
5 County expenses,
1 Total expense.

\$ 1736.00
6029.49
18125.07
24154.56

OFFICE OF SECRETARY OF STATE,
DES MOINES, December 8, 1857.

I hereby certify that the foregoing abstract contains all the facts embraced in the returns of the criminal convictions of the State of Iowa for the year 1857.

ELIJAH SELLS,
Secretary of State.

REPORT

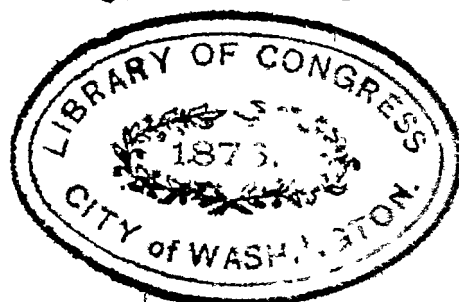
OF THE

Auditor of State,

FOR THE

Iowa

FISCAL YEAR ENDING NOVEMBER 1st, 1857.



DES MOINES, IOWA.

J. TEESDALE, STATE PRINTER, CITIZEN OFFICE.

1858.

REPORT.

AUDITOR'S OFFICE, IOWA,
IOWA CITY, NOVEMBER 1st, 1857. }

To the General Assembly of the State of Iowa :

GENTLEMEN :

In accordance with the requirements of law, I have the honor to submit to you the following report, showing the Revenue, Taxable property, Receipts and Disbursements of the State, and other business coming before this department for the fiscal year commencing November 1st, 1856, and ending November 1st, 1857.

It will make the following exhibits:

- 1st. RECEIPTS AND DISBURSEMENTS of the State Treasury.
- 2d. EXPENDITURES of the State; and the accounts to which they apply.
- 3d. WARRANTS—outstanding—issued—redeemed—and those now remaining unpaid.
- 4th. STATE INDEBTEDNESS.
- 5th. RESOURCES, for the two following years.
- 6th. ESTIMATED EXPENDITURES, for the two following years.
- 7th. CHARITABLE, and other STATE INSTITUTIONS.
- 8th. FIVE PER CENT. FUND.
- 9th. GENERAL REMARKS.
- 10th. (Statement A,) Total Assessment of 1857, and State tax thereon.
- 11th. (Statement B,) Number of acres of land in the several counties; total value, and average value per acre.

12th. (Statement C,) Total value of town Lots, and personal property.

13th. (Statement D,) List of cities and villages, with aggregate value of town lots.

14th. (Statement E,) Insurance Companies, which have complied with the late law.

15th. (Statement F,) Vouchers received of Superintendent of Public Instruction, on loans of school fund.

16th. (Statement G,) School Fund Commissioners receipts for "Five per cent funds."

17th. (Statement H,) Arrearages of the several counties, on account of State Revenue.

1st. RECEIPTS AND DISBURSEMENTS.

The receipts into the State Treasury during the past year have been as follows, viz :

From County Treasurers,.....	\$173,734 62
By loan of School Fund,.....	57,500 00
Balance of Saline Funds on hand Nov. 1st, 1856,..	956,21
Payments on Saline Fund account,.....	11,882 01
Balance of Revenue in State Treasury Nov. 1st, '56	11,254 91
	255,327 75

DISBURSEMENTS.

These have been as follows, viz :

For payment of State debt and interest

thereon—payable at Philadelphia,.. 57,500 00

For redemption of Auditor's Warrants, 180,404 68

Interest allowed on do do 1,240 37

For payment of an order of the Com-

missioners of Insane Asylum,..... 2,000 241,145 05

Balance in the State Treasury at this time,.....\$14,182 70

Made up as follows, viz :-

Balance on revenue account,.....13,682 90

Balance on Saline Fund account,..... 499 80 \$14,182 70

2nd. EXPENDITURES.

Exhibiting the total amount of Warrants issued and the several accounts to which they have been charged on the books of this office; and *all* the other expenditures which have occurred, during the year.

Agricultural Societies,..... 4,966 55

Institution for the Blind,.....	7,222 00	
Institution for the Deaf and Dumb,.....	7,000 00	
Expenses of 5th General Assembly,.....	10 50	
“ “ Extra Session,.....	30 65	
“ “ 6th General Assembly,.....	31,283 49	
“ “ Constitutional Convention,.....	27,009 65	
General contingent fund,.....	364 31	
Insane Asylum,.....	100,338 42	

SALARIES OF SUPREME JUDGES.

Wright, Ch. J.,.....	2,191 64	
Woodward, J.,.....	2,191 64	
Stockton, J.,.....	2,358 31	6,741 59

SALARIES OF DISTRICT JUDGES.

1st District,.....	1,150 00	
2d “	850 00	
3d “	1,183 33	
4th “	1,216 66	
5th “	1,183 33	
6th “	900 00	
7th “	1,266 66	
8th “	850 00	
9th “	550 00	
10th “	1,050 00	
11th “	633 33	
12th “		
13th “	633 33	
14th “	500 00	11,966 64
Supreme Court contingent expenses,.....	517 87	

SALARIES OF STATE EXECUTIVE OFFICERS.

Governor,.....	1,250 00	
Secretary,.....	1,500 00	
Auditor,.....	1,500 00	
Treasurer,.....	1,500 00	
Supt. of Public Instruction,.....	1,500 00	
Register of State Land Office,.....	1,024 70	
Librarian,.....	150 00	
Attorney General,.....	1,000 00	9,424 70
Governor's Contingent Fund,.....	1,000 00	

SALARIES OF CLERKS AND DEPUTIES.

Secretary's Deputy,.....	559 39 $\frac{1}{2}$	
Auditor's ".....	555 00	
Treasurer's ".....	200 00	
Register's ".....	408 33	1,722 72 $\frac{1}{2}$
Miscellaneous Disbursements,.....	8,945 61	
Penitentiary support,.....	24,817 00	
" Officer's salaries,.....	1,909 00	
Publishing laws in newspapers,.....	780 50	
Printing,.....	27,587 55	
Binding,.....	2,854 16	
Stationery,.....	11,941 46	
Special Appropriations,.....	9,583 49	
Removal of Capital, (expenses to this date,).....	319 15	
Fuel account,.....	861 77	
Geological Survey,.....	9,964 90	
Iowa Supreme Court Reports,.....	4,000 00	
Total amount of WARRANTS issued during the year..	313,163 68	
To which add interest allowed on redeemed		
warrants,.....	1,243 35	
Payment of State debt and interest,...	57,500 00	58,743 35
Total expenditures,.....	\$ 371,907 03	

The expense of printing done for the Constitutional Convention is included in the total expenses of that body (\$27,009 65) and not in the account of "State Printing," (27,587 55.) In the account "Salaries of District Judges," it will be seen that several of the Judges have not drawn the full amount of their salaries as allowed by law. This results from a custom which some of the Judges have of drawing their pay from County Treasurers within their respective districts, promising that credit shall be given the Treasurer on the Auditor's books for the amount thus drawn, but which is frequently neglected to be done. Thus in our report the Judge is not charged, and the county Treasurer is not credited. This course of receiving

payment of salaries is irregular, leading to mistakes and therefore censurable: I shall hereafter endeavor to put a stop to it. The item of "Miscellaneous Disbursements" includes many incidental expenses which are required by law, but not provided for specifically in any appropriation bill.

3d. AUDITOR'S WARRANTS.

Amount of Warrants outstanding November 1st:

1856, (as by report of that date,) 11,906 14

Issued during the year, ... 313,163 68

Total to be redeemed, ... 325,069 82

Redeemed by State Treasurer, ... 170,066 26

Warrants outstanding and unredeemed Novem-

ber 1, 1857, ... \$155,003 56

NOTE.—The item of \$57,500, for payment of State debt is not included in the amount of "Warrants issued" or "Warrants redeemed."

4th. STATE INDEBTEDNESS.

The state has no debts for which bonds have been issued, excepting to the SCHOOL FUND of the state. Of this fund the following loans have been made, viz:

May 1st, 1849. Bonds payable May 1st, 1854, is-

sued under act of Jan. 12th, 1849, (Chapt. 58,) . . . \$16,442 05

Sept. 15th, 1849. Bonds payable Sept. 15th, 1859,

issued under act of Jan. 13th, 1849, (Chapt. 70,) 6,000 00

March 25th, 1857. Bonds payable Jan. 1st, 1856—

issued under act of Feb. 5th, 1851, (Chapt. 51,) . . 2,353 70

July 15th, 1856. Bonds payable July 15th, 1861—

issued under act of this date, (Resolution 9,) . . . 40,000 00

January 1st, 1857. Amount borrowed of School

Fund under act of December 12th, 1856, (Chapt.

3,) for which no bonds have as yet been issued, . . 57,500 00

Total FUNDED DEBT, ... \$122,295 75

To this might be added the interest on
 above loans, due January 1st, 1858, 16,544 67
 And Auditor's Warrants now out-
 standing,.....155,003 56—171,548 23

Total LIABILITIES of the State,.....\$293,843 98

5th. RESOURCES.

The *estimated* resources of the State for the two following years
 are as follows:

Balance of revenue in the Treasury Nov. 1, 1857,....	13,682 90
Arrearages of County Treasurers,....	60,959 50
Deduct as probably unavailable,.....	40,959 50 20,000 00
State Tax of 1857,.....	420,089 06
Probable Tax of 1858,.....	500,000 00
Total estimate,.....	\$953,771 96

NOTE.—The above does not include school funds in the hands of State Treasur-
 er, (36,908 75—vide part 8,) which cannot be strictly considered State resources—
 or the balance of Saline Funds now on hand (\$499 80—vide part 1.)

ESTIMATED EXPENDITURES

For the two years commencing November 1st, 1857, and ending
 November 1st 1859.

For redemption of outstanding warrants,.....	155,003 56
Agricultural societies,.....	10,000 00
Institution for the Blind,.....	12,000 00
“ “ Deaf and Dumb,.....	20,000 00
Expenses of 7th General Assembly,.....	60,000 00
Continuance of Geological Survey,.....	10,000 00
Balance of appropriation for do,.....	35 10
General Contingent Fund,.....	1,000 00
Salaries of Judges of the Supreme Court,.....	12,000 00
“ “ District Judges,.....	40,000 00
Contingent expenses of Supreme Court,.....	2,000 00

Two sessions of Board of Education,.....	2,000 00
Miscellaneous Disbursements, ...	18,000 00
Penitentiary—General Support,.....	20,000 00
“ “ Officer’s Salaries,.....	5,000 00
Salaries of Executive State Officers,.....	19,400 00

SALARIES OF DEPUTIES AND CLERKS.

Secretary of State—Deputy,.....	1,600 00
“ “ “ one Clerk,.....	1,200,00
Auditor of State—Deputy,.....	1,600 00
“ “ “ one Clerk,.....	1,200 00
Treasurer—Deputy,.....	800 00
Register of State Land Office—Clerk,...	1,600 00 8,000 00
Stationery,.....	20,000 00
Printing and Binding,.....	50,000 00
Publishing Laws in Newspapers,.....	1,000 00
State House Janitors,.....	1,200 00
Fuel,.....	2,000 00
Removal of Capital, (remaining expense,).....	3,000 00
Fitting up and Furnishing new Capitol,.....	7,000 00
Bonds due School Fund Sept. 15th, 1859,.....	6,000,00
Interest on School Fund Loans due Jan. 1st 1857, and unpaid,.....	4,315 10
Interest due January 1st 1858,.....	12,229 57
“ “ “ 1st 1859,.....	12,229 57

Total,..... \$ 523,412 90

The total amount of ESTIMATED receipts
for the next two years has been
shown to be.....953,771 96

Estimate of Expenditures,..... 523,412 90

Excess..... \$ 430,359 06

The above balance is only approximately correct, and obtained upon the assumption that revenues accruing the State for the two following years will be *entirely* paid up; which is contrary to all experience. In the “Estimated Expenditures” it is out of the province of this department, and impossible to anticipate all the appropriations for charitable and other purposes which the Legislature may see fit to make. We can only estimate the *probable* expenses incident to the present order of things, and some other ex-

penses which seem to be imperatively demanded. After making due allowance for the severity of the times, as regards the payment of taxes, a respectable margin will be left for the liquidation of debts, aid to Asylums, and other special appropriations.

7th. CHARITABLE INSTITUTIONS & PENITENTIARY.

INSANE ASYLUM.

Cr.

By Chapter 47, Acts of Extra Session of the Fifth General Assembly, approved July 28th, 1856, an appropriation was made to this Asylum to the amount of..... 50,000 00

In addition thereto, the proceeds of the sales of all saline lands in the State. A part of these funds have been drawn directly from the State Treasurer, without an Auditor's warrant, (as such warrant was not *definitely* required by law,) contrary to the general policy of the law, which authorizes no payments from the State Treasury except upon Auditor's warrants.

The amount drawn from this fund upon Auditor's warrants is,..... 10,338 42

By Chapter 155, Laws of 1856-7, an appropriation was made of,..... 40,000 00

Total Appropriations,.....\$100,338 42

Contra.

Warrants have been issued to this Asylum for the following amounts, viz.:

January 29, 1857.	P. Saunders,	.....	6,166 54
" "	do	.....	50,000 00
May 2,	do	.....	5,000 00
" 15,	do	.....	35,000 00
August 19,	do	.....	4,171 88
		—————	\$100,338 42

INSTITUTION FOR THE DEAF AND DUMB.

Cr.

By Chapter 52, Acts of 1856-7, approved January

21st, 1857, an annual appropriation was made to
this Institution of.....\$7,000 00

Contra.

Under this law warrants have been issued for the following
amounts, viz:

January 29, 1857.	J. C. Culbertson,	.....	1,750 00
April 1, “	do	.....	1,750 00
July 6, “	do	.....	3,500 00
			\$7,000 00

INSTITUTION FOR THE BLIND.

By Chapter 51, Laws of 1856-7, an annual
appropriation, for two years, was made
to this Institution of..... 3,500 00

And the further sum of \$25 per quarter for
each pupil therein, upon which has been
issued to amount of..... 3,597 00

By Chapt. 232, same session, a special Ap-
propriation was made to one of the teach-
ers of..... 125 00

Total Appropriations,.....\$7,222 00

Contra.

The following warrants have issued, viz:

November 22, 1856.	E. K. Rugg,	.....	910 00
December 3, “	do	.....	795 00
January 30, 1857.	J. L. Jones	.....	125 00
February 2, “	E. K. Rugg,	.....	4,125 00
June 5, “	do	.....	625 00
September 1, “	do	.....	642 00

\$7,222 00

PENITENTIARY, (Officer's Salaries.)

Chapter 76, Laws of 1856-7, fixes the compensation of Peniten-
tiary Officers, and Chapter 257, makes an appropriation for the

same. These two laws are possibly conflicting in their nature, and accordingly we find that the pro rata appropriation is not sufficient to meet the compensation agreed upon by the Inspectors.

The following warrants have been drawn on this account.

Dec.	17,	1856,	Clerk,....	90 00
"	"	"	Chaplain,.	50 00
Jan.	10,	1857,	Brewster—Inspector,..	100 00
"	"	"	Shedd—"	169 00
"	"	"	Little—"	100 00
March	26,	"	F. A. Barker—Warden,	125 00
June	8,	"	P. Inskip,— "	175 00
"	"	"	Griffin—Dep. "	125 00
"	"	"	Rev. Teeter—Moral Inst.	25 00
"	"	"	Brown—Clerk.....	100 00
Oct.	12	"	Inskip—Warden, ...	350 00
"	"	"	Griffin—Dep., ...	250 00
"	"	"	Brown—Clerk, ...	200 00
"	"	"	Chaplain,....	50 00
				\$ 1,909 00

PENITENTIARY, (Support.)

Cr.

Under Chapter 46, Laws of the Extra

Session of 5th Gen. Assembly was a bal-

ance due for construction of cells,..... 925 00

And for payment of outstanding debts,.. 1,000 00

Chapter 257, Laws of 1856-7, appropriates

for payment of Indebtedness..... 2,892 12

Chapter 37, (same session,) appropriates, 20,000 00

Total appropriations,..... \$ 24,817 00

Contra.

The following warrants have been drawn

on this account, viz:

Jan. 15, 1857 F. A. Barker,..... 925,00

March 26, " " 2,892 00

Apr. 27, " P. Inskip,..... 1,000 00

" " " " 20,000 00

\$ 24,817 00

8th. FIVE PER CENT FUND.

On account of the connection which this office will hereafter have with the School Fund of the State, it may not be improper to give such light as we can upon this subject. We are principally indebted to the other state offices for the statistics here presented, as the legislation upon this subject is not yet sufficient to place the accounts of the School Fund within this office, as the Constitution will hereafter require.

The Hon. M. L. Fisher, our present Superintendent of Public Instruction, has kindly given us access to his files, from which we have learned the whole amount of this fund received by James D. Eads, ex-Superintendent of Public Instruction, and Statement "G," showing the distribution made of it among the several counties of the State, according to the receipts on file. The notes and mortgages are on file in this office according to law.

The aggregate amount received by—

Thos. H. Benton, jr., was,.....	51,326 95
Ditto by Jas. D. Eads,.....	281,042 40
Ditto by M. L. Morris,.....	220,004 87

Total amount received,.....\$552,374 22

By Benton's Report, June 6, 1854, we find the following disposition made of the amount received by him :

Loaned the State,.....	22,442 05
Apportioned to Counties,..	28,884 90 51,326 95

For the second item we find the following credits :

Apportioned to the counties, (Statement "G,".....	87,341 59
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Loaned on Notes and Mortgages,....	153,953 87
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Loaned to the State,.....	40,000 00
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For the 3d item the following credits are reported by the State Treasurer :

Loan to the State,.....	57,500 00
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Apportioned to Counties,.....	130,523 32
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————— \$520,645 73

Balance of Fund not loaned or apportioned.....	\$31,728 49
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Add payment of C. B. Waite's Note,.....	1,000 00
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Total five per cent. fund now on hand.....\$32,728 49

To this add interest collected on loans, ... 3,927 20

Total funds and interest in State Treasury, ... \$36,655 69

NOTE.—The above amount for funds and interest now on hand is not correct, because of a loan made by J. D. Eads, in which interest for a year is added to the amount loaned, and the note given for aggregate of principal and interest. This would cause the credit for Eads to be \$281,295 46, in lieu of \$281,042 40 received by him—(the note being apparently right, we only give the above from statement made by maker of the note)—consequently the amount now shown to be in the State Treasury should be changed from \$36,655 69 to \$36,908 75.

9th. REMARKS.

The expenditures of the state, during the last year, as will be seen by the foregoing (subdivision 2,) are unusually large. Very considerable appropriations, designed to suffice for two years, have in some instances been entirely drawn. The Insane Asylum and Penitentiary have together received over one hundred and twenty-five thousand dollars. The expenses incurred by the last General Assembly exceeded thirty thousand dollars,—upon the heels of which came the Constitutional Convention, costing nearly another thirty thousand. Other large items will be seen in the list of expenditures. The state debt for which bonds were held in the bank of Philadelphia, amounting, in principal and interest, to \$57,500, has been canceled, by effecting a loan of the “Five per Cent” funds,—and may be reckoned among the other expenditures of the state. These causes, and the slowness with which state revenue is collected, and paid in, have produced a large amount of outstanding warrants (\$155,003,56,) which, being generally endorsed by the state treasurer are drawing eight per cent. interest.

Generally speaking, the appropriations and expenditures which have been made, were all very much needed, and are the legitimate results of healthy growth and prosperity. Probably no state in the Union, with the comparative resources, has bestowed more sparingly upon her institutions and officers, and generally exhibited so great economy as ours. The rule which should govern an individual in the management of his finances, when proportionately extended, holds with communities and states,—municipal government may be of such niggardly character as to impoverish where it designed to enrich;—but on the other hand it is *more* apt to be

so lavish as to bring about financial embarrassments which will interfere with and derange the whole machinery of government.

It is the peculiar province of this department to guard the state treasury;—in the discharge of which duty, economy subject to the law is the governing principle. But where liberal appropriations are made by a legislature, large balances can not be expected to be shown by the auditor and treasurer—unless they be upon the *debit* side. The necessity of having warrants standing out unredeemed, produces several bad effects, such as “affecting the credit of the state” and subjecting the beneficiaries of appropriations, to the necessity of negotiating warrants at a considerable discount. These evils should be avoided. In view of this, the census board in fixing the rate of State tax upon the last assessment raised the rate from one and one fourth, to two mills upon a dollar of the valuation.—This rate as seen by statement A, commands a State tax for 1857 of over four hundred thousand dollars, so that it is hoped in the next two years, the State Treasury will right itself in all its obligations—excepting, perhaps, the funded debt.

One of the *greatest* discouragements with which this office has to contend is the slowness of County Treasurers in collecting and paying in the revenues due the State. I would not charge these difficulties entirely to that officer, for in many or most instances the Treasurers have used their best exertions in this behalf. On the other hand, some of the counties have been culpably negligent in making their semi-annual payments, on the 15th of January and September as required by law—the treasurers frequently holding in their hands large amounts—used, if used at all, in violation of law and duty, and thereby causing injury to the State in the loss of interest and credits, and to the holders of warrants in the sacrifices which they have to make in getting them cashed.

While this is true of but few, I trust, the main difficulty to prompt payment lies with the *tax-payer*. It is a matter of universal remark, that where money commands higher usury, than the interest which is affixed to delinquent taxes, tax payers will not pay till the *last moment*, and sometimes escape all together. The interest, too, which is chargeable upon delinquent taxes, is seldom collected—or if collected is not always and all of it reported to this office. To remedy this, is the duty of the Legislature. Let the rate of interest be increased, or let a set of discounts be fixed for *early* payments: require the collector to keep an accurate account

of all interest collected, under the supervision and direction of the County Judge, and if need be the interest on all delinquent taxes might be made a charge upon the collector, which charge could be removed by payments, and certificate of County Judge that the balance is uncollectable.

In some of the States, the taxes of non-residents is made payable at the Capital. Undoubtedly under the present arrangement, a good share of the delinquent taxes will be found in this class of tax payers, and whether a change to the rule above cited would cause greater punctuality in the payment of these taxes is worthy of some consideration and debate. Non-resident property holders are frequently writing to the State Treasurer and Auditor to attend to their taxes on the supposition that they can pay them at the seat of government, and that the State Officers can attend to the business officially. From the consideration given the subject, I have concluded that such a provision might wisely be incorporated in our revenue laws. In such case, a duplicate of the county tax list should be furnished by the County Clerk to the State officer charged with this duty. The minutiae of this proceeding I am unable to give, as no reference can be had to the statute laws of other States on account of the confused state of the State Library at this time, caused by the recent removal.

What has been said of delinquent interest might further be remarked of Peddler's Licences and receipts on sales of the Code of Iowa and Laws. Neither of these have been reported so fully as they should have been.

Under section 491 of the Code, additional assessments are frequently made after the Abstract of Assessment is returned by the Clerk of the District Court to this office. These are seldom reported, unless specially sought for by the Auditor and when unknown, create confusion and disagreement between the books of the Auditor and County Treasurer. All lawful additions to, or deductions from the State revenue as first obtained by the Clerk's Abstract of Assessment should be promptly reported by the Treasurer, with the County Judge's certificate attached.

The REVENUE LAWS of this State are certainly confused, and in many respects very defective. Being one of the most important and intricate departments of statute law, legislation upon this subject should be the result of careful investigation and deliberation. The two parts of a system of revenue laws should be important

with each other, and if possible made with so few defects, that future amendments would not be requisite. When laws are passed without examination of *existing* laws upon the same subject, the confliction which arises is most difficult to reconcile, and produces misunderstanding and trouble between different executive officers. And even though there be no confliction, when the law is so fragmentary and scattered, it is difficult to secure that unity and system which is so desirable in the finance laws of a State. To cite an instance: section 65 of the Code requires that "no money shall be paid from the Treasury but upon the warrant of the Auditor." This is the province of a *Treasurer*, to receipt for all moneys coming into his hands, and to pay out only upon orders. He should not be left to his own uncontrolled discretion in the receiving and disbursing of public funds. Now, by Chapt. 47, Acts of Special Session, 1856, Chapt. 187 and 201, Acts of 1856-7, this salutary rule is broken. Chapt. 187, too, conflicts with section 1080 of the Code, inasmuch as interest collected by County School Fund Commissioners has not heretofore been paid into the hands of the Superintendent of Public Instruction for his apportionment, but is only controlled by the Superintendent's warrants drawn upon one county in favor of another.

In this State the County *Treasurer* and County *Recorder* is the same officer, while in many other States they are separate and distinct. Heretofore this arrangement may have been judicious, but the increased amount of business in all the well settled counties, seems at this time to require a division, making two separate offices. This is the more apparent when it is seen that the office of School Fund Commissioner is abolished by the new Constitution, and the Treasurer assumes a good share of the duties of that office.

In all the older counties with which I am acquainted, the *recording* in this office is performed by one or more clerks, the fees for which are generally sufficient to make up the Treasurer's salary. I would therefore recommend that the duties of the office be divided, and a new county officer created.

By the revenue law of last winter, the time at which taxes become delinquent was changed from 1st January to 1st February. County Treasurers make one of their semi-annual payments on 15th January, and if the above provision remains, but *little* revenue need be expected to be paid in at this payment,—coming too at the very time it is needed for the expenses of the General Assembly.

The above change of time seems unnecessary and unwise, and I would recommend that the former law as to time be re-instated.

When interest is paid on warrants presented, the amount of interest allowed is required to be indorsed on the warrant by the County or State Treasurer. I would suggest that the payee receipt for the interest on the back of the warrant, with *date* of redemption, after which time the interest should, of course, cease. More certainty and precision would thus be secured.

Article 9, Part 2, Sec. 6 of the New Constitution, provides that "the financial Agents of the School funds shall be the same, that by law receive and control the State and county revenue for other civil purposes, under such regulations as may be provided by law."

This provision will produce an entire change in the management and control of the school funds. So far as this office is concerned it will require a separate set of accounts with the State Treasurer, and all the County Treasurers. I would recommend that laws upon this subject be so framed, that these funds be kept *perfectly distinct* from other State funds, and that the accounts be kept in a separate set of books, so that no confusion may be permitted between this business and the ordinary business of these several offices. Hitherto no account has been kept by any *State* officer with the School Fund Commissioners, who have been permitted the utmost license in the management of these funds in their respective counties. Whatever disposition be made of these funds, whether they remain in the counties to be put out upon loans, or are paid in to the State Treasurer—proper arrangements should be made to close up and settle the business of the office of School Fund Commissioner, causing all funds and papers in his hands to pass over to the proper successor: and that the receiver of these funds and vouchers be required to receipt *fully* to the Auditor of State, in order that the proper entries can be made upon the "School Fund books" of this office. Current accounts should be kept, and stated reports made to the Auditor, in order that he may have complete supervision of this large and important set of finances.

The annual apportionment of interest to the Common Schools of the several counties will, within our understanding of the Constitution, fall to this office. The data requisite to this are "Interest reports" which should be made by the officer who negotiates and collects loans, to the Auditor: And Reports of the number of

children in the different counties between the age of 5 and 21 years, which reports would very properly be made to the Secretary of the board of Education, to be by him duly certified to this office in time for such apportionment.

By Section 106, of the Code, the County Judge is made the Auditor, and accountant of the County Treasurer in the particulars there specified. This is well, as far as it goes. In addition to this he should make semi-annual, or at least annual settlements with the Treasurer—such settlements *to be reported in full* by him to the Auditor. At the close of the Treasurer's term of office, he should make a *final settlement* with that officer, which settlement should further be certified up to this office. The finances of the State have heretofore been handled "too loosely," and it is full time that proper checks and restrictions be created. The Auditor by law is made the general accounting officer of the State, and he should take cognizance of all financial transactions wherever and for whatever purpose, so far as pertains to the State. He should have open accounts with all the funds, so that all the information on this subject can be obtained in one office.

The foregoing are the *amendments* which should be made in the Revenue Laws of this State, as they now occur to my mind, and are respectfully suggested to the General Assembly, not as being directory, but advisory in their character. Nothing is sought for this office excepting what strictly appertains to it. Its increased jurisdiction and importance would only bring increased labors and responsibilities.

It is believed that the extra duties in the Secretary's and this office cannot be performed by a single deputy, and we feel confident the General Assembly will not refuse such assistance as is actually needed in these departments, and will make the appropriation for this purpose, designated in "Estimated Expenditures for the two following years." If, as in other States, the banking business is entrusted to this department, a very considerable increase of labor will be consequent thereon, and will emphasize the necessity above alluded to.

The following comparison of the *taxable property* of the State at this time with that for a few preceding years, will enable us to see what progress we are making in wealth and consequence:

In 1851 it was, ...	\$ 28,464,550
" 1852 "	38,427,376

" 1853	"	.....	49,540,304
" 1854	"	.....	72,327,204
" 1855	"	.....	106,895,390
" 1856	"	.....	164,394,413
" 1857	"	.....	210,044,533

Such a comparison is gratifying, if not flattering, and will justify the hope, that in a *short time* the State will be able to erect her asylums, and other public buildings, encourage institutions of learning, and advance all her enterprises, without the fear of financial embarrassment. The caution now needed, is—*too* much should not be undertaken. As the resources of the State are constantly being developed, a wider and deeper basis is being laid upon which to carry forward our favored projects and establish our cherished institutions.

Respectfully submitted,

JOHN PATTEE,
Auditor of State.

STATEMENT "A."

Showing the total valuation of the Counties and Tax of 1857.

COUNTIES.	Aggregate Valuation for 1857.	State Tax of 1857.
Adair, ...	1,139,302 00	2,278 60
Adams, ...	922,060 35	1,844 12
Allamake, ...	1,827,760 00	3,655 52
Appanoosee, ...	2,149,322 00	4,298 64
Audubon, ...	263,480 00	526 76
Benton, ...	3,337,264 00	6,674 53
Blackhawk, ...	2,221,883 00	4,443 77
Boone, ...	1,331,266 00	2,662 53
Bremer, ...	2,064,803 00	4,129 60
Butler, .....	.....	.....
Buchanan, ...	573,035 00	1,146 07
Calhoun, ...	372,951 00	745 90
Carroll, ...	161,152 91	322 31
Cass, ...	897,250 00	1,794 50
Cedar, ...	4,455,261 00	8,910 52
Cerro Gordo, ...	1,000,026 00	2,000 05
Chickasaw, ...	1,602,904 00	3,205 81
Clarke, ...	1,600,666 00	3,201 33
Clayton, ...	3,625,031 00	7,250 06
Clinton, ...	6,889,965 00	13,779 93
Crawford, ...	161,889 59	323 78
Davis, ...	3,972,638 95	7,945 28
Dallas, ...	1,660,657 00	3,321 31
Decatur, ...	1,569,322 00	3,138 64
Delaware, ...	1,768,605 00	3,537 21
Des Moines, ...	7,597,738 00	15,195 48
Dubuque, ...	16,453,155 00	32,906 31
Fayette, ...	2,158,042 00	4,316 08
Floyd, ...	1,403,996 00	2,807 99
Franklin, ...	831,029 00	1,662 05
Fremont, ...	1,057,572 00	2,115 14
Greene, ...	188,110 00	376 22
Grundy, ...	900,065 00	1,800 13
Guthrie, ...	1,094,217 00	2,188 43
Hamilton, ...	1,403,917 00	2,807 83
Harrison, ...	684,561 00	1,369 12
Hardin, ...	1,288,852 00	2,577 70
Henry, ...	4,458,153 00	8,916 30
Howard, ...	680,695 00	1,361 39
Humbolt, ...	38,864 96	77 73
Iowa, ...	2,522,833 00	5,045 67
Jackson, ...	5,314,761 00	10,629 52

STATEMENT "A."—CONTINUED.

COUNTIES.	Aggregate Valuation for 1857.	State Tax of 1857.
Jasper, ...	3,566,699 00	7,133 40
Jefferson,.....	2,476,623 00	4,953 25
Johnson, ...	5,834,596 00	11,669 19
Jones,.....	2,877,803 00	5,755 61
Keokuk,.....	3,531,612 00	7,063 22
Kossuth, ...	75,222 00	150 44
Lee, ...	12,132,788 00	24,265 58
Linn, ...	5,886,651 00	11,773 30
Louisa, ...	5,280,481 31	10,560 96
Lucas, ...	1,349,404 56	2,698 81
Madison, ...	2,006,290 00	4,012 58
Mahaska, ...	4,314,154 00	8,628 30
Marion, ...	3,486,264 00	6,972 53
Marshall,.....	2,043,613 00	4,087 23
Mills,.....	.....	.....
Mitchell, ...	1,488,886 00	2,977 77
Monroe, ...	1,753,116 00	3,506 23
Monona,.....	496,956 00	993 91
Montgomery, ...	680,395 00	1,360 28
Muscatine,.....	7,659,640 00	15,319 79
Page, .....	.....	.....
Polk, ...	6,220,418 00	12,440 84
Pottawattamie, ...	3,865,523 00	7,731 04
Poweshiek,.....	2,401,686 00	4,803 37
Ringgold,.....	694,321 00	1,388 64
Scott, ...	8,685,813 00	17,371 63
Shelby,.....	.....	.....
Story, ...	1,391,658 00	2,783 32
Sac, ...	237,501 61	475 00
Tama,.....	1,834,698 00	3,669 40
Taylor,.....	1,068,085 00	2,136 17
Union, ...	1,484,813 00	2,969 63
Van Buren,.....	3,711,095 00	7,422 19
Wapello, ...	3,983,211 00	7,968 42
Warren,.....	3,268,326 00	6,536 65
Washington,.....	4,508,414 00	9,016 83
Wayne, ...	1,931,056 50	3,862 11
Webster,.....	1,088,567 00	2,177 13
Winnesheik,.....	2,280,219 00	4,560,44
Woodbury, .....	.....	.....
Wright,.....	802,879 00	1,605 76
TOTAL, ...	\$ 210,044,533 54	\$420,089 06

STATEMENT "B."

Showing the number of Acres of Land in the several Counties;
their total Valuation, and average value per Acre.

COUNTIES.	Number of Acres of Land.	Value of Land, Exclusive of Town Lots.	Av. value of Land per acre.
Adair,.....	304,237	1,096,969 00.	3 60
Adams,.....	184,786	802,877 00	4 34
Allamakee,.....	397,776	1,310,010 00	3 29
Appanoose,.....	280,970	1,495,028 00	5 32
Audubon,.....	75,735.91	230,767 00	3 05
Benton,.....	454,399	2,714,222 00.	5 97
Blackhawk,.....	332,733	1,552,348 00	4 66
Boone,.....	220,623	983,071 00.	4 28
Bremer,.....	255,224	1,677,356 00	6 49
Butler,.....	.....	.....	.....
Buchanan,.....	360,236	1,898,174 00.	5 27
Calhoun,.....	94,578.65	358,682 00.	3 79
Carroll,.....	32,822	125,868 16.	4 14
Cass,.....	157,857	715,022 00.	4 53
Cedar,.....	360,707	3,292,362 00.	9 13
Cerro Gordo,.....	333,800	925,000 00.	2 77
Chickasaw,.....	292,192	1,344,371 00.	4 54
Clarke,.....	256,534	1,157,259 00.	4 51
Clayton,.....	467,973	2,224,553 00.	4 75
Clinton,.....	398,581	3,393,426 00.	8 51
Crawford,.....	41,522	141,150 34.	3 40
Davis,.....	311,478	2,734,945 00.	8 78
Dallas,.....	299,666	1,313,330 00.	4 38
Decatur,.....	302,550	1,168,856 00.	3 86
Delaware,.....	366,034	1,174,430 00.	3 29
Des Moines,.....	280,817	3,388,413 00.	12 07
Dubuque,.....	379,392	7,195,300 00.	18 96
Fayette,.....	440,342	1,418,891 00.	3 22
Floyd,.....	313,150	1,072,908 00.	3 43
Franklin,.....	280,261	772,872 00.	2 75
Fremont,.....	274,457	680,622 00.	2 48
Greene,.....	294,897	94,055 00.	0 32
Grundy,.....	196,926	872,689 00.	4 43
Guthrie,.....	301,163	894,892 00.	2 97
Hamilton,.....	266,529	1,220,357 00.	4 58
Harrison,.....	190,296	494,072 00.	2 60
Hardin,.....	200,426	843,394 00.	4 21
Henry,.....	268,845	2,257,969 00.	8 39
Howard,.....	199,651	586,555 00.	2 94
Humbolt,.....	8,979.32	26,937 96.	3 00
Iowa,.....	345,677	2,042,117 00.	5 90

STATEMENT "B"—Continued.

COUNTIES.	Number of Acres of Land:	Value of Land, exclusive of Town Lots.	Av. value of Land per acre
Jackson,.....	299,376	3,579,904 00	8 96
Jasper,.....	552,032	2,423,502 00	7 83
Jefferson,.....	275,058	1,485,402 00	5 40
Johnson,.....	385,000	3,374,644 00	8 77
Jones,.....	362,436	2,092,684 00	5 77
Keokuk,.....	353,235	2,385,559 00	6 75
Kossuth,.....	3,380	18,940 00	5 66
Lee,.....	.....	9,420,580 60	.....
Linn,.....	438,659	3,608,026 00	8 22
Louisa,.....	249,134	2,946,560 31	11 82
Lucas,.....	241,407½	966,402 00	4 00
Madison,.....	366,640	1,480,341 00	4 04
Mahaska,.....	356,200	2,761,721 00	7 75
Marion,.....	321,440	1,946,933 00	6 06
Marshall,.....	351,988	1,541,767 00	4 37
Mills,.....	.....	..... 00	.....
Mitchell,.....	278,619	1,090,248 00	3 91
Monroe,.....	253,408	1,200,086 00	4 73
Monona,.....	126,336	433,876 00	3 43
Montgomery,.....	139,272	610,676 00	4 38
Muscatine,.....	265,888	4,254,232 00	16 00
Page,.....	.....	..... 00	.....
Polk,.....	297,539	2,773,908 00	9 32
Pottawattamie,.....	346,128	2,021,677 00	5 84
Poweshiek,.....	365,321	1,868,208 00	5 11
Ringgold,.....	233,061	600,353 00	2 57
Scott,.....	274,005	3,601,847 00	13 14
Shelby,.....	.....	..... 00	.....
Story,.....	356,106	1,220,368 00	3 43
Sac,.....	68,599	218,865 11	3 19
Tama,.....	458,399	1,544,571 00	3 37
Taylor,.....	248,082	861,366 00	3 47
Union,.....	253,889	1,325,646 00	5 22
Van Buren,.....	292,462	2,207,533 00	7 55
Wappello,.....	278,675	2,379,104 00	8 17
Washington,.....	357,552	2,791,393 00	7 83
Warren,.....	358,689	2,394,416 00	6 67
Wayne,.....	313,497	1,531,971 00	4 88
Webster,.....	289,652	794,638 00	2 74
Winnesheik,.....	433,878	1,639,300 00	3 77
Woodbury,.....	.....	..... 00	.....
Wright,.....	239,800	764,565 00	3 19
TOTAL,.....	3,256,472	17,184,004 00	.....

STATEMENT "C."

*Showing the aggregate value of Town Lots, and Personal Property
in the several counties.*

COUNTIES.	Value of Town Lots.	Aggregate value of Personal Property.
Adair, ...	\$8,350 00	34,183 00
Adams, ...	15,907 00	104,076 35
Alamakee, ...	110,095 00	407,655 00
Appanoose, ...	100,971 00	533,313 00
Audubon, ...	696 00	32,017 00
Benton, ...	146,803 00	476,239 00
Black Hawk, ...	306,825 00	362,710 00
Boone	108,474 00	242,721 00
Bremer, ...	135,434 00	252,013 00
Butler, .....	.....	.....
Buchanan	270,876 00	403,985 00
Calhoun	3,390 00	10,879 00
Carroll, ...	8,193 00	17,091 75
Cass	64,352 00	117,876 00
Cedar, ...	274,405 00	888,494 00
Cerro Gordo, ...	25,003 00	50,023 00
Chickasaw, ...	85,530 00	173,003 00
Clarke, ...	95,558 00	347,849 00
Clayton, ...	502,196 00	898,282 00
Clinton	1,697,615 00	1,688,924 00
Crawford, .....	.....	20,739 25
Davis, ...	168,262 00	1,069,431 95
Dallas, ...	39,569 00	307,758 00
Decatur, ...	73,608 00	226,808 00
Delaware	100,693 00	493,482 00
Des Moines, ...	2,464,375 00	1,744,950 00
Dubuque, ...	5,144,495 00	4,113,360 00
Fayette, ...	170,753 00	568,398 00
Floyd	128,311 00	202,777 00
Franklin, ...	6,533 00	51,624 00
Fremont, ...	31,317 00	345,633 00
Greene	17,265 00	76,790 00
Grundy, ...	2,638 00	24,738 00
Guthrie, ...	26,122 00	173,203 00
Hamilton	78,935 00	104,625 00
Harrison, ...	22,456 00	168,033 00
Hardin	140,037 00	305,421 00
Henry, ...	770,359 00	1,429,825 00
Howard, ...	14,565 00	79,575 00
Humbolt, ...	3,000 00	8,927 00
Iowa, ...	87,016 00	393,700 00

STATEMENT "C."—CONTINUED.

COUNTIES.	Value of Town Lots.	Aggregate Value of Personal Property.
Jackson, ...	542,352 00	1,192,505 00
Jasper, ...	427,466 00	715,730 00
Jefferson, ...	252,778 00	738,443 00
Johnson, ...	1,220,651 00	1,239,301 00
Jones, ...	148,222 00	636,897 00
Keokuk, ...	170,241 00	975,812 00
Kossuth, ...	18,549 00	36,733 00
Lee, .....	.....	2,712,208 00
Linn	855,977 00	1,422 648 00
Louisa	1,058,777 00	1,275,144 00
Lucas, ...	131,762 00	251,240 36
Madison, ...	160,560 00	365,449 00
Mahaska, ...	470,897 00	1,081,536 00
Marion	455,768 00	1,083,563 00
Marshall	118,333 00	383,513 00
Mills, .....	.....	.....
Mitchell, ...	120,276 00	278,362 00
Monroe	92,386 00	460,644 00
Monona, ...	16,785 00	46,295 00
Montgomery, ...	3,978 00	65,741 00
Muscatine, ...	1,814,690 00	1,590,718 00
Page, .....	.....	.....
Polk, ...	2,424,795 00	1,021,715 00
Pottawattamie, ...	1,392,557 00	451,289 00
Poweshiek	142,346 00	391,132 00
Ringgold, ...	8,487 00	85,481 00
Scott, ...	2,922,278 00	2,091,688 00
Shelby, .....	.....	.....
Story, ...	41,820 00	129,470 00
Sac, .....	.....	18,635 50
Tama, ...	80,839 00	209,188 00
Taylor, ...	31,667 00	175,052 00
Union, ...	51,942 00	107,225 00
Van Buren, ...	386,409 00	1,117,153 00
Wapello	406,709 00	1,197,398 00
Warren, ...	213,807 00	660,103 00
Washington	456,794 00	1,260,227 00
Wayne	54,328 00	344,757 50
Webster	160,236 00	133,643 00
Winneshiek, ...	129,059 00	511,860 00
Woodbury .....	.....	.....
Wright, ...	8,381 00	29,933 00
TOTAL, ...	\$ 29,443,884 00	\$ 45,439,564 66

STATEMENT "D."

Showing the aggregate value of Town Lots in the several Cities and Villages of the State reported to this Office.

TOWNS.	COUNTIES.	Value of Town Lots.
Fontenelle, ...	Adair,	7,770 00
Manchester, ...	do	380 00
Vinton, ...	Benton,	128,235 00
Marysville, ...	do	7,672 00
Benton City, ...	do	3,940 00
Geneva, ...	do	1,346 00
Shellsburg, ...	do	1,945 00
Irving, ...	do	3,060 00
Eden, ...	do	605 00
Lake City, ...	Calhoun,	3,390 00
Carrolton, ...	Carroll,	8,193 00
Lewis, ...	Cass,	53,641 00
Indiantown, ...	do	2,615 00
Iranistan, ...	do	5,171 00
Grove City, ...	do	2,725 00
Shellrock Falls, ...	Cerro Gordo,	10,075 00
Mason City, ...	do	16,028 00
Livonia, ...	do	3,000 00
Clear Lake, ...	do	3,200 00
Clear Lake City, ...	do	1,700 00
Camanche, ...	Clinton,	169,780 00
Clinton, ...	do	556,135 00
Dewitt, ...	do	130,625 00
Elvira, ...	do	1,500 00
Lyons, ...	do	747,205 00
Toronto, ...	do	2,370 00
Bloomfield, ...	Davis,	112,805 00
Drakeville, ...	do	17,730 00
Troy, ...	do	18,878 00
Dover, ...	do	4,160 00
Springville, ...	do	3,316 00
West Grove, ...	do	1,550 00
Pulaski, ...	do	2,450 00
Monterey, ...	do	1,964 00
Savannah, ...	do	1,378 00
Floris, ...	do	2,465 00
Pleasant View, ...	do	916 00
Martinsville, ...	do	400 00
Richmond, ...	do	250 00

STATEMENT "D."—CONTINUED.

TOWNS.	COUNTIES.	Value of Town Lots.
Xenia, ...	Dallas,	591 00
Wiscotta, ...	do	6,700 00
New Ireland, ...	do	1,200 00
Dubuque, ...	Dubuque,	4,870,400 00
East Cascade, ...	do	35,900 00
West Cascade, ...	do	36,795 00
Factoryville, ...	do	13,800 00
Key West, ...	do	10,300 00
Caledonia, ...	do	2,365 00
Epworth, ...	do	22,750 00
Centralia, ...	do	11,185 00
Dyersville, ...	do	141,000 00
Homer, ...	Hamilton,	10,505 00
Webster City, ...	do	68,430 00
New Oregon, ...	Howard,	10,865 00
Vernon Springs, ...	do	3,700 00
Mt. Pleasant, ...	Henry,	39,003 00
Lowell, ...	do	4,625 00
New London, ...	do	30,301 00
Winfield, ...	do	1,783 00
Salem, ...	do	67,577 00
Trenton, ...	do	15,995 00
Marshall, ...	do	11,075 00
Marengo, ...	Iowa,	52,705 00
Millersburg, ...	do	11,834 00
Nevada, ...	do	7,584 00
Genoa Bluffs, ...	do	4,580 00
Ko-tza, ...	do	4,270 00
Williamsburg, ...	do	2,543 00
Homestead, ...	do	2,050 00
Dover, ...	do	7,050 00
Dayton, ...	do	7,000 00
Iowa City, ...	Johnson,	1,198,370 00
Solon, ...	do	14,165 00
Windham, ...	do	1,671 00
Greencastle, ...	do	3,105 00
North Liberty, ...	do	1,080 00
Monroe, ...	do	170 00
Shueyville, ...	do	1,400 00
Morfordsville, ...	do	740 00
Richland, ...	Keokuk,	26,885 00
Toka, ...	do	1,340 00

STATEMENT "D."—CONTINUED.

TOWNS.	COUNTIES.	Value of Town Lots.
Martinsburg,.....	Keokuk,	8,100 00
Talleyrand,.....	do	3,705 00
Lancaster,.....	do	22,539 00
Sigourney,.....	do	92,759 00
Baden,.....	do	1,000 00
Springfield,.....	do	4,015 00
Webster,.....	do	2,710 00
South England,.....	do	65,090 00
Irvington,.....	Kossuth,	3,412 00
Algona,.....	do	15,137 00
Burris,.....	Louisa,	631,263 00
Columbus City,.....	do	64,035 00
Fredonia,.....	do	5,493 00
Grandview,.....	do	36,590 00
Harrison,.....	do	845 00
Hillsborough,.....	do	11,020 00
Lafayette,.....	do	5,020 00
Morning Sun,.....	do	11,289 00
Oakland,.....	do	3,535 00
Ononwa,.....	do	21,186 00
Port Louisa,.....	do	15,392 00
Port Louisa, West,.....	do	740 00
Tolesborough,.....	do	35,710 00
Wappello,.....	do	216,659 00
Ashton,.....	Mitchell,	
Bedford,.....	Monona,	16,789 00
Lexington,.....	Taylor,	25,484 00
Plattville,.....	do	5,182 00
Afton,.....	do	1,001 00
Highlands,.....	Union,	35,723 00
West Union,.....	do	11,751 00
Petersville,.....	do	2,406 00
Union City,.....	do	542 00
Indianola,.....	do	1,520 00
Hartford,.....	Warren,	148,113 00
Palmyra,.....	do	29,340 00
Greenbush,.....	do	14,020 00
Carlisle,.....	do	6,105 00
Sandyville,.....	do	5,125 00
Lacona,.....	do	4,110 00
Harrisonburg,.....	do	1,168 00
	do	1,495 00

STATEMENT "D."—CONTINUED.

TOWNS.	COUNTIES.	Value of Town Lots.
Lawrenceburg, ...	do	1,799 00
New Virginia, ...	do	1,465 00
Churchville, ...	do	950 00
Wilmington, ...	do	115 00
Belmont, ...	Wright,	3,446 00
Moscow, ...	do	2,256 00
Eagleville, ...	do	1,800 00
Liberty, ...	do	879 00
Little Sioux Town, ...	Harrison,	3,494 00
Jeddo City, ...	do	1,454 00
Calhoun, ...	do	15,848 00
Magnolia, ...	do	1,660 00

STATEMENT "E."

Showing those Insurance Companies which have complied with the law passed January 28, 1857—their Capital Stock, &c.

NAMES OF COMPANIES.	Location.	Date of Statement	Total Capital Stock.	Capital Stock paid up.
		1857.	\$ cts.	\$ cts.
Peoria Marine and Fire Insurance Company,	Peoria, Ills.,	May 27th,	500,000 00	300,000 00
Hartford Fire Insurance Company,.....	Hartford, Conn.,	January 28th,	300,000 00	300,000 00
Phoenix Insurance Company,.....	" "	June 1st,	200,000 00	200,000 00
Liverpool and London Fire and Life Insurance Company, New York Branch,...	New York,	" 12th,	10,000,000 00	4,000,000 00
Niagara Insurance Company of.....	New York City,	" 1st,	200,000 00	200,000 00
Western Massachusetts Insurance Company,	Pittsfield, Mass.,	" 15th,	150,000 00	150,000 00
Home Insurance Company,.....	New York City,	" 2d,	500,000 00	500,000 00
Star Insurance Company,.....	Ogdensburg N. Y.	" 3d,	150,000 00	150,000 00
North American Fire Insurance Company,	New York City,	" 1st,	250,000 00	250,000 00
Connecticut Fire Insurance Company,....	Hartford Conn.,	" 1st,	200,000 00	150,000 00
Atlantic Fire and Marine Insurance Co.,...	Providence, R. I.,	May 16th,	150,000 00	150,000 00
City Fire Insurance Company,.....	New Haven, Conn.	June 1st,	150,000 00	150,000 00
Ætna Insurance Company,.....	Hartford, Conn.,	July 1st,	500,000 00	500,000 00
City Fire and Marine Insurance Co.,.....	" "	June 1st,	150,000 00	150,000 00
Farmer's Union Insurance Company,.....	Athens, Penn.,	Jan. 24th.	200,000 00	200,000 00
Charter Oak Fire and Marine Ins. Co.,....	Hartford, Conn.,	July 1st,	300,000 00	300,000 00
Continental Insurance Company,.....	New York City,	" "	500,000 00	500,000 00
Phoenix Fire Insurance Company,.....	Brooklyn N. Y.	" "	200,000 00	200,000 00
Springfield and Fire and Marine Ins. Co.,...	Springfield, Mass.,	June 1st,	150,000 00	150,000 00
Humboldt Fire Insurance Company,.....	New York City,	Aug. 8th,	200,000 00	200,000 00

Consolidated Insurance Company,.....	Philadelphia, Pa.,	May 15th,	300,000 00	150,200 00
Bridgeport Fire and Marine Ins. Co.,.....	Bridgeport, Conn.,	July 1st,	300,000 00	245,910 00
State Fire and Marine Insurance Co.,.....	Harrisburg, Pa.,	" "	300,000 00	100,000 00
Dubuque Union Insurance Company,.....	Dubuque, Iowa,	August 4th,	100,000 00	000,000 00
Commonwealth Insurance Company,.....	Harrisburg, Pa.	Jan. 28th,	110,000 00	110,000 00
Lamar Fire Insurance Company,.....	New York City,	August 31,	200,000 00	200,000 00
Conway Fire Insurance Company,.....	Conway, Mass.,	" 1st,	150,000 00	150,000 00
Hampden Fire Insurance Company,.....	Springfield Mass.,	Sept. 1st,	150,000 00	150,000 00
Ocean Insurance Company,.....	New York City,	July 11th,	300,000 00	300,000 00
Muscatine Insurance Company,.....	Muscatine, Iowa,	Oct. 1st,	40,000 00	18,232 25
Iowa Insurance Company,.....	Princeton, Iowa,	" 22d,	26,348 29	84 10
Iowa Insurance Company,.....	Oskaloosa, Iowa.	" 29th,	4,486 12	1,530 93
Massasoit Insurance Company,.....	Springfield, Mass.,	July 2d,	150,000 00	150,000 00

STATEMENT "F."

List of Notes and Mortgages delivered by James D. Eads, as Superintendent of Public Instruction, to the Auditor of State, in accordance with Chapter 10, Laws of 1857.

NOTES.

MAKERS.	DATE.	TIME.	AMOUNT.
James D. Eads,.....	Aug. 19, 1856	Five Years.	20,000 00
A. T. Walling & Co.....	Oct. 8, "	" "	2,000 00
A. T. Walling,.....	May 12, "	" "	5,100 00
do	April 4, "	" "	4,900 00
L. J. & R. Zwart,.....	July 19, "	" "	4,000 00
S. Boyles, B. Hugel & H. F. Stempil,.....	Nov. 19, "	Ten Years.	4,000 00
E. C. Crawford, W. G. Crawford & Jas. McCorkle,...	Aug. 13, "	Five Years.	800 00
W. A. & Nena L. Thurston,	" 6, "	" "	1,000 00
F. M. Hosselton,.....	April 12, "	One Year.	500 00
James A. Williamson & W. A. Scott,.....	June 26, "	Five Years.	8,300 00
T. J. Cannon,.....	Oct. 15, "	5½ months.	1,000 00
Jos. M. Griffiths & Jas. D. Cavenor,.....	June 26, "	Five Years.	8,250 00
Jno. S. Hamilton & J. M. Anderson,.....	July 8, "	" "	1,200 00
J. M. Anderson & S. J. Reid,	" 12, "	" "	640 00
J. A. Goodrich,.....	Nov. 21, "	" "	1,125 00
R. W. Rothrock,.....	" 19, "	Ten "	2,000 00
Wm. Thompson & P. C. Tiffany,.....	June 16, "	Five Years.	1,000 00
Peter Hedges & Jas. D. Cavenor,.....	July 1, "	" "	1,000 00
A. Stoddard,.....	Dec. 19, "	" "	1,000 00
Jos. B. & Jos. Dorr,.....	Aug. 28, "	" "	4,000 00
L. Dewey,.....	July 11, "	" "	2,000 00
J. K. Hornish & J. M. Hiatt,	July 18, "	" "	2,000 00
Jos. B. Stewart & T. A. Walker,.....	" 1, "	" "	8,250 00
W. A. Scott & Jas. A. Wil- liamson,.....	June 26, "	" "	8,300 00
Jas. D. Cavenor & J. M. Griffiths,.....	" 26, "	" "	4,125 00
Jas. D. Cavenor & J. M. Griffiths,.....	" 26, "	" "	4,125 00

STATEMENT "F"—CONTINUED.

MAKERS.	DATE.	TIME.	AMOUNT.
Jno. W. Stanton & Alex. Shaw, ...	June 27, 1856	Five Years.	2,000 00
Alex. Shaw & Jno. W. Stanton, ...	" 27, "	" "	3,000 00
S. J. Reid & H. T. Reid, ..	July 12, "	" "	680 00
Jas. M. & H. T. Reid, ...	" 8, "	" "	10,000 00
J. M. Anderson & S. J. Reid,	" 12, "	" "	640 00
T. J. Cannon, ...	Dec. 16, "	Four "	6,318 87
Jairus E. Neal, ...	July 12, "	Five "	5,000 00
Thos. K. Brooks & J. A. Williamson, ...	June 27, "	" "	4,000 00
E. J. Toof, ...	Aug. 20, "	" "	800 00
E. J. Toof, ...	" 20, "	" "	450 00
B. Hugel, ...	Nov. 18, "	" "	1,000 00
Wm. H. Leech & Robt. McFarland, ...	" 19, "	Ten Years.	3,000 00
Wm. H. Leech, ...	" 20, "	" "	3,000 00
* C. B. Waite, ...	June 1, "	One Year.	1,000 00
Thomas Snyder, ...	Jan. 2, 1857	Four Years.	1,500 00
Hugh F. King & Wm. H. White, ...	June 18, 1856	One Year.	500 00
Wm. H. White, ...	" 17 "	" "	500 00
Sylvester, Harrison & Bro.	Oct. 17, "	Five Years.	2,100 00
Geo. S. Hampton, ...	July 12, "	" "	5,000 00
Geo. Andrews & B. H. Kelly,	May 8, "	One Year.	1,250 00
W. J. Gilbert, ...	May 6, "	Two Years.	600 00
Elijah W. Lake to D. Gillis,	Nov. 5, 1855	5 Months.	1,000 00
TOTAL, ...			\$153,953 87

* Since paid.

STATEMENT "F"—CONTINUED.

MORTGAGES.

MORTGAGOR.	DATE.	AMOUNT.
Joseph B. Dorr & Wife,.....	August 28, 1856	\$ 4,000 00
Jas. M. Reid,.....	December 20, "	10,000 00
Jairus E. & Catharine Neal,.....	August 8, "	5,000 00
J. K. & H. W. Hornish,.....	July 18, "	2,000 00
L. J. & C. M. Zwart,.....	" 19, "	4,000 00
R. W. Rothrock,.....	November 20, "	2,000 00
F. M. Hosselton,.....	April 12, "	500 00
Albert Stoddard,.....	December 19, "	1,000 00
C. B. & Catharine V. Wait,.....	June 1, "	1,000 00
E. C. & W. G. Crawford,.....	ack'd Aug. 10, "	800 00
E. J. & Mary Toof,.....	August 20, "	450 00
Thos. J. Cannon,.....	December 16, "	6,318 87
Jno. S. & Sarah A. Hamilton,....	July 28, "	1,200 00
Samuel J. & Hannah Reid,.....	September 20, "	1,320 00
James A. & Ann W. Williamson,.	January 9, 1857	8,300 00
Laurin & Mary G. Dewey,.....	July 11, 1856	2,000 00
Wm. H. White,.....	June 17, "	500 00
R. H. Sylvester, E. & E. Harrison,	October 17, "	2,100 00
Elijah W. & Susannah Lake,.....	November 5, 1855	1,000 00
TOTAL,.....		\$53,508 87

The receipt of S. M. Dyer, County Recorder of Polk County, is held for the following Mortgages, dates, amounts, &c., not given.

W. A. Scott and wife.
 Jester Hedges,
 J. M. Griffith and wife,
 J. W. Stanton,
 Alex. Shaw,
 J. D. Cavenor,
 J. B. Stewart,
 T. K. Brooks and wife.
 J. D. Cavenor,
 Leech & McFarland.

The receipt of R. McFarland, Recorder of Lee County, is held for the following:

F. M. Hopelton,.....	\$ 500 00
J. K. Hornish,.....	2,000 00
L. J. Zwart,.....	4,000 00
B. Hugel,.....	1,000 00
Boyles, Hugel & Stempel,.....	4,000 00
W. A. Thurston,.....	1,000 00
E. J. Toof,.....	800 00
A. T. Walling,....	3,000 12
J. A. Goodrich,.....	1,125 00

Duplicate Receipts for interest on loans of Five per cent. Funds, have been filed in this office for the following amounts, viz:

C. B. Waite,.....	\$100 00
F. N. Hosselton,.....	50 00
J. M. Anderson,.....	30 22
A. Stoddard,.....	7 00
L. J. Zwart,.....	180 00
Boyles Stemple & Hugel,.....	45 75
A. T. Walling & Co.,.....	46 12
Joseph M. Griffiths,.....	421 50
H. F. Stemple,.....	22 78
W. A. Scott,.....	4 37
J. D. Cavenor,.....	3 90
W. Thompson,.....	55 82
T. J. Cannon,.....	27 70
Thomas K. Brooks,.....	200 44
B. Hugel,.....	11 94

E. J. Toof,.....	45 71
Alex. Shaw,.....	152 50
Laurin Dewey,.....	94 46
J. B. Dorr,.....	136 65
J. W. Stanton,.....	101 66
W. H. Leach & R. McFarland,.....	33 33
Wm. H. Leach,.....	33 33
J. E. Neal, ...	234 75

The following have been paid as per State Treasurer's books, *but no receipts* filed in this office.

S. J. Reid,.....	32 10
“ “	30 23
Jas. M. Reed,.....	480 55
J. D. Cavenor,.....	208 02
“ “	211 98
W. A. Scott,.....	422 00
J. B. Stewart,.....	412 50
J. K. Hornish,.....	92 00

The following amounts remain *unpaid*, which the makers of the notes claim to have paid to James D. Eads.

James A. Williamson,.....	\$430 00
W. A. Thurston,.....	39 97
W. G. Crawford,.....	30 67

The following amounts^s were due for interest, January 1st, 1857, and *still* remain *unpaid*.

Geo. S. Hampton,.....	\$234 68
E. W. Lake,.....	66 67
W. J. Gilbert, ...	39 00
Geo. Andrews & R. ^e H. Kelly,.....	80 89
Sylvester, Harrison & Bro.,.....	43 15
W. H. White,.....	27 50
Hugh F. King & W. H. ^e White,.....	27 50
J. D. Eads,.....	627 76
A. T. Walling,.....	324 00
“ “	362 04
S. Boyles,.....	45 55
T. J. Cannon, ...	20 82
J. S. Hamilton,.....	57 32
J. A. Goodrich,.....	12 50
R. W. Rothrock,.....	22 76
Peter Hedges,.....	50 00

STATEMENT "G."

List of Receipts of School Fund Commissioners of the several Counties, for Five per cent. Fund distributed by James D. Eads as Superintendent of Public Instruction.

COUNTY.	School Fund Commissioner.	Date.	Amount.
Iowa,	Martin Ballard,	July 12th, 1855,	300 00
Jackson,	Joseph Palmer,	1855,	700 00
"	" "	Jan. 18th, 1855,	300 00
Jasper,	Harvey J. Skiff,	March 13th, 1855,	500 00
Jefferson,	Wm. K. Alexander,	May 31st, "	2,000 00
Johnson,	John Parrott,	July 14th, "	500 00
do	" "	May 19th, "	200 00
do	" "	July	500 00
do	" "	Mar. 24th, 1855,	1,000 00
do	" "	Mar. 6th, "	1,500 00
Henry,	R. T. Colrun,	Feb. 8th, "	600 00
do	" "	Mar. 26th, "	1,327 00
do	" "	May 6th, 1856,	5,000 00
do	" "	July 17th, 1856,	5,000 00
Louisa,	E. Keach,	June 1st 1855,	1,500 00
Lucas,	Ed. A. Temple,	Aug. 15th, "	500 00
Mahaska,	John White,	Aug. 28th, "	514 00
Linn,	Alpheus Brown,	July 13th, "	500 00
Lee,	Nathan McCollough,	May 10th, "	15,000 00
do	" "	Aug. 2d,	900 59
do	" "	April 9th,	1,000 00
do	" "	Feb. 7th, 1855,	1,000 00
Keokuk,	Wm. H. Brunt,	July 14th, "	1,000 00
Wayne,	D. W. Baker,	Mar. 3d, 1856,	500 00
Muscatine,	Asa Gregg,	May 30th, 1855,	1,500 00
Jefferson,	Wm. K. Alexander,	May 20th, 1856,	5,000 00
Benton,	J. S. Hunt,	Mar. 18th, 1856,	500 00
Appanoose,	Daniel F. Sparks,	Aug. 12th, 1855,	1,000 00
Jones,	E. V. Miller,	1855,	500 00
Marion,	David Stanfield,	July 12th, "	1,000 00
Marshall,	Jos. M. Ferguson,		500 00
Washington,	Norman Chipman,	May 16th, 1855,	500 00
do	" "	" " "	500 00
Wapello,	Jos. M. Caldwell,	Aug. 29th, "	1,100 00
do	" "	Oct. 12th, "	400 00
Scott,	Hiram Price,	June 1st, "	1,500 00
Van Buren,	L. D. Morris,	Jan. 5th, "	1,500 00
Pottawattamie,	S. M. Smith,	Feb. 13th, 1856,	500 00
Polk,	R. W. Sypher,	Mar. 13th, 1855,	500 00
do	" "	" " "	500 00

STATEMENT "G."—CONTINUED.

COUNTIES.	School Fund Commis- sioners.	Date.	Amount.
Polk,	R. W. Sypher,	March 13th, 1855,	500 00
Van Buren,	E. Haskin,	May 5th, 1856,	5,000 00
Wapello,	A. L. Graves,	May 21st, "	5,000 00
Johnson,	John Parrott,	" 3d, "	3,000 00
do	" "	July 12th, "	2,000 00
Benton,	J. S. Hunt,	June 27th, "	500 00
Des Moines,	W. H. Mauro,	June 2d, 1857,	5,000 00
Clinton,	A. R. Bissell,	May 16th 1855,	500 00
Davis,	Stephen Greenleaf,	Aug. 10th, 1855,	1,000 00
Dubuque,	Amos Mathews,	" 2d, "	2,000 00
Des Moines,	W. H. Mauro,	Apr. 6th, 1855, "	2,000 00
Jasper,	H. J. Skiff,	" 5th, "	500 00
do	" "	July 19th, 1856,	2,000 00
		Total,	87,341 50

STATEMENT "H."

Showing the present Indebtedness of the several Counties to the State Treasury.

COUNTIES.	Balance Due Nov. 1st, 1856.	Debits for fiscal year 1856-7.	Credits.	Balance Due Nov. 1st, 1857.
Adair,.....	Cr. 21 34	819 38	206 69	591 35
Adams, ...	13 01	784 24	750 63	46 62
Allamakee,.....	369 10	1,895 26	1,147 99	1,116 37
Appanoose,.....	1,526 50	2,250 99	1,643 67	2,133 82
Audubon, ...		334 60	254 80	79 80
Benton,.....	11 30	3,325 86	2,302 95	1,034 21
Black-Hawk,.....	590 52	2,961 20	2,762 93	788 79
Boone, ...	15 49	2,049 70	1,865 00	200 19
Bremer, ...	327 76	1,693 21	1,101 15	919 82
Butler,.....	Cr. 85 91	1,626 46	1,543 05	Cr. 2 50
Buchanan, ...		2,687 23	2,577 63	109 60
Calhoun,.....		189 60	149 39	40 21
Carroll, ...		261 89	224 58	37 31
Cass,.....	802 00	574 46	332 70	1,043 76
Cedar, ...	1,029 83	4,509 60	4,991 00	548 43
Cerro Gordo,.....		1,195 00	311 60	883 40
Chickasaw, ...	367 85	1,355 61	651 06	1,072 40
Clarke, ...	294 37		7 40	286 97
Clayton,.....	1,558 56	3,771 28	3,276 91	2,052 93
Clinton, ...	2,060 02	5,905 51	3,224 17	4,741 36
Crawford, ...		129 92	129 95	Cr. 03
Davis,.....	Cr. 672 83	2,336 26	2,179 32	Cr. 515 90
Dallas, ...	202 11	1,702 23	1,450 51	453 83
Decatur, ...	217 33	1,921 66	1,335 00	803 99
Delaware,.....	449 26	2,324 35	2,087 60	686 01
Des Moines,.....	2,504 68	9,513 07	8,547 89	3,469 86
Dubuque, ...				Balanced
Fayette,.....	Cr. 51 95	1,960 61	1,781 94	126 72
Floyd, ...	158 46	1,354 24	728 00	784 70
Franklin, ...	Cr. 59 60		614 32	Cr. 673 92
Fremont,.....	148 68	982 09	362 68	768 09
Greene,.....	100 88	912 24	599 84	413 28
Grundy, ...			748 56	Cr. 748 56
Guthrie,.....	409 11	985 52	653 89	740 74
Harrison, ...		647 62		647 62
Hardin,.....	Cr. 37 00	1,426 01	1,392 16	Cr. 3 15
Henry, ...	509 57	4,890 27	3,088 98	2,310 86
Howard, ...		416 60	360 32	56 28
Iowa, ...	Cr. 6 41			Cr. 6 41
Jackson, ...	Cr. 453 09	4,636 94	3,372 65	811 20

STATEMENT "H"—CONTINUED.

COUNTIES.	Balance Due Nov. 1st, 1856.	Debits for fiscal year 1856-7.	Credits.	Balance Due Nov. 1st, 1857.
Jasper,.....	1 62	885 50		887 12
Jefferson,.....	340 94	2,588 41	2,587 40	341 95
Johnson, ...	1,942 07	6,376 42	6,990 60	1,327 89
Jones,.....	1,457 51	2,689 86	3,432 23	715 14
Keokuk,.....	119 99	3,512 25	3,523 40	108 84
Kossuth, ...		18 71		18 71
Lee,.....	669 15	9,745 65	5,360 20	5,054 60
Linn, ...	14 52	6,732 54	5,301 96	1,445 10
Louisa,.....	1,453 27	3,865 88	2,826 15	2,493 00
Lucas, ...	459 28	1,881 53	1,777 25	563 56
Madison,.....	330 33	2,838 33	1,957 46	1,211 20
Mahaska,.....		4,694 77	4,369 88	324 89
Marion,.....	818 16	3,920 84	3,070 00	1,669 00
Marshall, ...	62 44	2,302 24	2,283 25	81 43
Mills, ...	260 92	821 16	544 00	538 08
Mitchell,.....	Cr. 202 00	1,380 45	450 00	728 45
Monroe, ...	68 97	2,196 83	1,760 15	505 65
Monona,.....	38 51	441 55	11 75	468 31
Montgomery, ...	38 09	427 81		465 90
Muscatine,.....	1,183 25	7,138 71	7,589 37	732 59
Page, ...	Cr. 416 42	1,145 06	1,069 68	Cr. 341 04
Polk, ...	1,125 58	5,072 11	4,520 82	1,676 87
Pottawattamie, ...	1,033 98			1,033 98
Poweshiek,.....	7 45	3,181 95	2,542 43	646 97
Ringgold, ...	7 58	1,184 46	1,108 29	83 75
Scott, ...	Cr. 40 48	9,350 81	8,140 97	1,169 36
Shelby, ...	84 10	205 69	306 81	Cr. 17 02
Story,.....	164 02	1,162 11	905 52	420 61
Sac, ...		40 17		40 17
Tama, ...	82 01	2,300 80	1,287 78	1,095 03
Taylor,.....	Cr. 66 85	971 65	802 66	102 14
Union, ...	139 14	622 32	618 91	142 55
Van Buren, ...	613 24	4,400 60	4,924 09	89 75
Wapello,.....	1,612 10	4,485 26	2,866 91	3,230 45
Washington, ...	469 45	4,929 89	4,720 37	678 97
Warren, ...	717 16	3,064 03	2,502 86	1,278 33
Wayne,.....		1,593 53	1,000 00	593 53
Webster,.....	331 69	1,578 71	1,307 93	602 47
Winnesheik, ...	694 97	2,529 03	2,780 76	443 24
Woodbury, ...		396 59		396 59
Wright, ...		462 50	401 17	61 33
Total Amounts, ..	\$27,894 00	\$187,467 42	\$154,401 92	\$60,959 50

REPORT OF J. M. BECK,

AGENT FOR INVESTIGATING THE

Disposition of the School Fund,

DURING THE

ADMINISTRATION OF JAMES D. EADS,

DES MOINES, IOWA.

J. TEESDALE, STATE PRINTER, CITIZEN OFFICE.

....
1858.

REPORT.

FORT MADISON, IOWA, Nov. 10, 1857.

TO HIS EXCELLENCY—JAMES W. GRIMES:

SIR:

Having been appointed agent for the State, under and by virtue of the act of the General Assembly, approved January 28, 1857, entitled "*An act concerning School Moneys*," and by you directed "to investigate the character and availability of all pretended loans of school money made by the Superintendent of Public Instruction, and the value and kind of security given for such loans; to obtain further and additional security thereon, when and where necessary, to institute suits for the recovery of the money, as having been obtained without authority of law, when such security is declined, and to do such further acts as may be deemed necessary to secure the safety of the common school fund," I have the honor to submit the following report of my labors and investigations in the discharge of the duties imposed upon me.

I found in possession of the Auditor of State, *fifty-four notes*, which were received from James D. Eads, late Superintendent of Public Instruction, as notes taken for loans of the *five per cent school fund*, amounting, in the aggregate, to \$155,199,99. *Thirty-eight* of these notes were accompanied by mortgages, as security thereon.

Sixteen of these mortgages I received from the Auditor of State; *eleven* of which had not been recorded.

Six I received of the Recorder of Lee county, and *ten* of the Recorder of Polk county, deposited for record by Mr. Eads. One I received from Mr. Eads in July, which had not been recorded. I found one in the office of the Recorder of Johnson county, and one in the Recorder's office of Henry county, neither of which were filed or recorded, on account of the fees thereon being unpaid.

I proceeded to investigate the character of the *pretended* loans,

the kind of securities given therefor, and to perform such other duties prescribed by the aforesaid act of the legislature. The following is a statement of the information obtained by such investigation, and of the securities taken by me, when obtained, and other matters connected therewith.

I proceed to mention separately *each note*, with all the facts connected with it:

1

James M. Ried.	}	\$10,000 00
Hugh T. Ried, (security.)		

Note dated July 8th, 1856, payable five years after date, to Jas. D. Eads, Superintendent of Public Instruction, or his successor in office, drawing 10 per cent. interest, and payable annually, at the office of the Superintendent of Public Instruction.

Secured by mortgage on certain property in Mason's addition to the city of Keokuk, valued at \$15,160 00. Mortgage dated December 20th, 1856, and was not filed for record until it came into my hands.

2

J. M. Anderson,	}	 \$640 00
S. J. Ried.		

Note dated July 12th, 1856, payable five years after date, to James D. Eads, Superintendent of Public Instruction, or his successor in office, with interest at 10 per cent., payable annually at the office of the Superintendent of Public Instruction.

Secured by mortgage dated September 12th, 1856, on property in Mason's & Ried's addition to the city of Keokuk, valued at \$2,000 00. The mortgage was not recorded until it came into my hands.

3

S. J. Ried,	}	 \$680 00
H. T. Ried.		

Note precisely similar to the foregoing, and secured by same mortgage.

4

J. M. Anderson, }
S. J. Ried, . . . } \$640 00

Note dated July 12th, 1856, payable five years after date, with interest at 10 per cent., payable annually, on the first day of January.

No mortgage or other security was given with this note. I obtained of J. M. Anderson, a mortgage upon certain lots in Montrose, Lee county, Iowa, valued at \$1,200 00, to secure this note, conditioned, that if the interest be not paid as provided in the note, the principal to fall due.

5

John S. Hamilton, }
J. M. Anderson. } \$1,200 00

Note dated July 8th, 1856, payable five years after date, with interest as the above note.

Secured by mortgage on 120 acres of land in Ringgold county, and 80 acres in Story county. The description of the land in the mortgage is defective. The land is valued at \$600 00. I was unable to obtain additional security on this note. The interest is unpaid. I do not consider more than half the amount of the note secured. Mr. Hamilton, the principal in the note, is dead, and his estate is said to be insolvent.

6

E. J. Toof..... \$450 00

Date of note, August 20th, 1856, payable five years after date, with interest as the preceding notes.

Secured by mortgage on lands in Lucas county, valued at \$480. Mortgage not recorded until it came into my hands.

7

E. J. Toof..... \$800 00

Note same date, due and payable as No. 6.
Secured by mortgage on lots in Fort Madison, valued at \$1 600.

8

A. Stoddard, ... 1,000 00.

Note dated December 9th, 1856, payable to James D. Eads, Superintendent of Public Instruction. Due five years after date, with interest at 10 per cent., payable annually, January 1st, of each year.

Secured by a bill of sale on one half of the "Plaindealer" office, in Fort Madison, which was not recorded until it came into my hands.

Mr. Stoddard informs me that this note was not given for money borrowed; that Mr. Eads, owning one half of the printing office at the date of the note, Mr. S. purchased his (Mr. Eads') interest, and gave this note therefor. I obtained as additional security upon this note, a note signed by Benjamin Grossman and J. E. Marsell, for \$1,000 00, due December 9th, 1861, with 10 per cent., interest, payable annually, January 1st, at the office of Treasurer of State, secured by mortgage on lots in Fort Madison, Iowa, valued at \$1,000 00, conditioned that in default of payment of the interest, the principal to fall due.

9

F. M. Hosselton, ... \$500 00.

Note dated April 12th, 1856, due in one year, with 10 per cent. interest from date, payable to James D. Eads, or order.

Secured by mortgage on real estate in Fort Madison, Iowa, valued at \$1,500 00.

Mr. H. informs me that at the time he borrowed the money of Mr. Eads, for which this note was given, he was informed that it was his (Mr. Eads') own money, and not the money of the school fund.

10

R. W. Rothrock, ... \$2,000 00.

Note dated November 19th, 1856, due ten years from date, payable to James D. Eads, Superintendent of Public Instruction, with interest at 10 per cent., payable annually.

Secured by mortgage on land in Iowa county, valued at

\$1,200 00. The note and mortgage were given for the purchase money of the lands described in the mortgage. Mr. Eads purchased the land for \$1 000 00 on the 7th day of April, 1856, and makes it answer to the school fund on the 9th of November, 1856, for \$2,000 00. Mr. Rothrock has conveyed the land, subject to the mortgage, to Mr. H. F. Stemple, who, being satisfied, as he has informed me, that the land is not worth the amount of the mortgage, will not pay the interest on the note, and will suffer the land to be sold on the mortgage. I could not obtain additional security on this note.

11

L. J. Zwart. }
B. Zwart. } \$4,000 00.

Note dated July 19th, 1856, payable five years after date, to James D. Eads, Superintendent of Public Instruction, with interest at 10 per cent., payable annually, January 1st, of each year.

Secured by mortgage on property in the city of Keokuk, valued at \$9,000 00.

12

J. K. Hornish. }
J. M. Hiatt. } \$2,000 00.

Note dated July 18th, 1856, due five years from date, with interest and payable as the foregoing note.

Secured by mortgage on property in the city of Keokuk, valued at \$6,000 00.

13

W. H. Leech..... \$3,000 00.

Note dated November 20th, 1856, due in ten years, with interest, and payable as the last note.

Secured by mortgage on property in Fairfield, in Jefferson Co., valued at \$2,000 00. The mortgage was received by me about the last of July, 1857, from Mr. Eads. At that time it had not been recorded. This note was not given for money borrowed, but for

purchase money of the property mortgaged, which was purchased by Mr. Eads, April 24th, 1856, for \$1,500 00, and is made to answer to the school fund for \$3,000 00.

The property has upon it a frame house which rents for \$200 00 per annum. I could obtain no additional security on this note. I do not consider the property sufficient security for more than \$1,500 00.

14

Wm. H. Leech.

Robert McFarland. } \$3,000 00.

Date of note, November 19th, 1856, due ten years after date, payable and drawing interest as the foregoing notes. Secured by mortgage on 160 acres of land in Polk county, Iowa.

This is another note that was given, not for a loan, but for the purchase money of the land described in the mortgage, which is valued at \$1,600 00.

I believe that to be more than the land is worth. This was university land, purchased by Mr. Eads for \$1,280 00; \$320 00 paid down, the balance, \$960 00, unpaid. One year's interest on the deferred payments is due, and unpaid. The purchasers, Messrs. Leech & McFarland inform me that they will resist the collection of the note, on the ground that the *title* was represented to them by Mr. Eads, to be good, the land all paid for, and worth the sum that they contracted to pay for it. They decline giving any additional security on the note.

In this case, Mr. Eads makes \$320 00 answer to the school fund for \$3,000 00. I consider this note without security.

15

J. A. Goodrich..... \$1,125 00.

Date of note, November 21st, 1856, due five years from date, payable to James D. Eads, Superintendent of Public Instruction, with interest *from January, 1st, 1857*, at 10 per cent., payable annually. Secured by mortgage on lots in Fort Madison, Iowa, valued at \$1,000 00.

This is another note that was not given for money borrowed, but for the purchase money of the property mortgaged. That fact is stated in the body of the note.

The property, with two other lots, was purchased by Mr. Eads, May 9th, 1856, for \$1,600 00. August 21st, 1856, he sells and conveys the two lots to another party for \$800 00, and November 21st, 1856, the lots described in the mortgage for 1,125,00; thus making \$800 00 answer to the school fund for \$1,125 00. I consider the property mentioned in the mortgage but indifferent security for the sum of \$1,000 00. It will be observed that the note does not draw interest until *January 1st*, 1857.

If Mr Eads claims that he should be credited with the amount of this note, or any other amount on account of it, then by what right did he fix the interest to commence at a future day, and permit a party to use the money of the school fund without interest?

16

E. C. Crawford,	{		\$800 00.
W. G. Crawford,			
James McCorkle.			

Note dated August 13th, 1856, due five years from date, payable to James D. Eads, Superintendent of Public Instruction, or his successor in office, with interest at 10 per cent., payable January 1st. Secured by mortgage on 160 acres of land in Webster county, valued at \$50000.

Mr. Crawfyod has left the State, and I was not able to obtain additional security upon this note.

17

Wm. A. Thurston.	{		\$1,000 00.
Una L. Thurston.			

Note dated August 6th, 1856, due in five years, payable to Jas. D. Eads, Superintendent of Public Instruction, with interest at 10 per cent., payable annually January 1st.

Secured by mortgage on a lot in Fort Madison, Iowa, valued at \$3,000 00. Upon this lot there are prior mortgages, amounting to \$1,000 00.

18

Samuel Boyles,	}	\$4,000 00.
B. Hugle,		
H. F. Stemple.		

Note dated November 19th, 1856, due in ten years, payable and drawing interest, as the last note above. Secured by mortgage on land in Lee county, valued at \$11,109 90.

This note, as several others before mentioned, was given for the purchase money of the lands mentioned in the mortgage, which Mr. Eads purchased for \$6,000 00, April 14th, 1856, giving a mortgage for a deferred payment of \$4,000 00.

This mortgage Messrs. Boyles, Stemple and Hugle undertake to pay, and executed a note for the balance of the purchase money, \$4,000 00. Mr. Eads thus obtains credit for \$4,000 00 with the School Fund, for \$2,000 00 expended by him in the purchase of the land. The *title* of the land is in doubt; and my opinion is, that an adverse title will be sustained. \$2,000 00 upon the prior mortgage, I am informed, has been paid.

19

B. Hugle,	\$1,000 00.
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Note dated November 18th, 1856, due five years after date, payable and drawing interest, as the preceding note. Secured by mortgage on lots in Fort Madison, Iowa, valued at \$1,150 00. This note was given for the purchase money of the lots mentioned in the mortgage, which Mr. Eads purchased August 4th, 1856, for \$800. In this case he makes \$800 by him expended, answer to the School Fund for \$1,000.

20

A. T. Walling,	\$4,900.
----------------	---------------

Note dated April 4th, 1856.

21

A. T. Walling,	\$5,100.
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Note dated May 12th, 1856. These notes, payable to James.

D. Eads, or order, and are due five years from date, with interest at ten per cent, payable annually, on the first of January of each year, at the Banking House of Charles Parsons.

There was no security of any kind given upon these notes. Mr. Walling informed me that the notes were given for money obtained of Mr. Eads, not as money of the State, or School Fund, but as Mr. Eads' own individual funds; and that he obtained no information from Mr. Eads at the time of obtaining the money, that it was part of the School Fund.

As security upon these notes, I obtained mortgages upon $91\frac{1}{2}$ acres of land in Lee county, near Keokuk, and 880 acres in different counties in the State, valued at \$10,000, conditioned that in case a failure is made, in the payment of the interest, the principal to fall due.

22

A. T. Walling, ...\$2,000.

Note due October 8th, 1861.

23

Same, ...\$200.

Note due January 1st, 1860.

24

Same, ...\$150.

Note due October 8th, 1861.

25

Same, ...\$46 12.

Note due January 1st, 1857.

26

Same, ...\$200.

Note due January 1st, 1858.

27

Same, ...\$200.
 Note due January 1st, 1861.

28

Same, ...\$200.
 Note due January 1st, 1859.

The foregoing notes are dated October 8th, 1856, and are payable to James D. Eads or bearer, at the Bank of Charles Parsons, in the city of Keokuk. The notes for the smaller amounts are intended to cover the interest to fall due on the note of \$2,000, which seems to have been for money borrowed. These notes are secured by a bill of sale on the Press, Types, &c. of the "Times" Printing Office, at Keokuk. This transaction does not seem to have been regarded by the parties as connected with the School Fund, but as one in which Mr. Eads *only* was interested.

I have been unable to obtain additional security on these notes, and consider the security now held upon them as entirely insufficient.

29

James D. Eads, ...\$20,000.

Dated August 19th, 1856, due in five years, payable to the Superintendent of Public Instruction, with 10 per cent. interest, payable annually at the office of the Superintendent of Public Instruction. Secured by mortgage drawn January 2^d, 1856, upon lots in Fort Madison, valued at \$11,000. There are mechanics' liens on this property amounting to \$700, or more, and a subsequent mortgage to the official securities of Mr. Eads, to indemnify them against loss on his official bonds.

30

C. B. Waite, ...\$1,000.

Note dated June 1st, 1856, due in one year, with 10 per cent. interest, payable to the order of John Van Valkenburg, at the Marine Bank of Chicago. Secured by mortgage on certain property in Rock Island, Illinois. The mortgage was not put upon record

by Mr. Eads. This note could not have been intended by the parties as a loan connected with the School Fund. The note, however, was promptly paid at maturity.

31

T. J. Cannon, ...\$1,000.

Date October 15th, 1856, due April 1st, 1857, payable to C. G. Crigo or order, endorsed by Mr. Crigo, to James D. Eads, or bearer; interest at 10 per cent. per annum. No security given upon this note. Mr. Crigo states that this note was given in part payment of the Des Moines House, a hotel in Des Moines, which he sold to Mr. Eads and Mr. Cannon. For some reason, Mr. Cannon only signed the note.

Mr. Eads paid the note before it was due, and requested Mr. Crigo to endorse it, alleging that he desired the endorsement for the purpose of a settlement with Mr. Cannon. Mr. Crigo believed the note to be paid by Mr. Eads, and not purchased or discounted by him. I obtained neither payment or security on the note.

32

Wm. Thompson, {\$1,000.
P. C. Tiffany, }

Date, June 16th, 1856, due five years after date, payable to Jas. D. Eads, Superintendent of Public Instruction, or his successor in office, with interest at ten per cent., payable annually on the first day of January. Secured by mortgage on real estate in Mount Pleasant. The mortgage was found by me in the Recorder's office, in Mt. Pleasant, neither filed or recorded, on account of the Recorder's fees being unpaid. The security on this note is ample.

33

Lauren Dewey, ...\$2,000.

Note dated July 11th, 1857, due five years from date, payable and drawing interest as the preceding note. Secured by mortgage on land in Henry county. Mortgage not recorded until it came into my hands. The security on this note is ample.

34

R. H. Sylvester, }
 Edmund Harrison, } \$2,100.
 Edgar Harrison, }

Note dated October 17th, 1856, due five years from date, payable and drawing interest as the preceding note. Secured by mortgage on land in Buchanan county, valued at \$2,475. This mortgage was not recorded when it came into my hands.

35

Wm. H. White, ... \$500.

Date of note, June 17th, 1856, due in one year, with 10 per cent. interest, payable to John Van Valkenburg, or order. I found security upon this note, but obtained additional security on real estate in Iowa City, valued at \$1,000.

36

Thos. Snyder, ... \$1,500.

Dated January 2d, 1856, due four years after date, with interest at 10 per cent., payable to Jas. D. Eads, Superintendent of Public Instruction, or his successor in office. Secured by mortgage on lots in Iowa City, valued at \$2,500.

This note and mortgage were given for a part of the purchase money of the lots mentioned in the mortgage, which were conveyed by Mr. Eads to Thomas Snyder. The consideration expressed in the deed is \$2,500.

The record shows that the property cost Mr. Eads \$1,000. In this transaction, he (Mr. Eads) realized the amount paid for the property, and an additional sum of \$1,500, which is secured by the note and mortgage, and passed to his credit with the School Fund, as so much money loaned.

This note is not mentioned by Mr. Eads in his report to the Legislature, dated December 1st, 1856; but was handed to the Auditor of State sometime after his report. It is presumed that he intended the note to cover and stand in lieu of the cash he reported in his hands.

37

Hugh F. King, }
 W. H. White, } \$5 00

Note dated June 18th, 1856, due one year from date, with ten per cent. interest, payable to John Van Valkenburg, or order. No security was given upon this note. I obtained as security on this note, a mortgage upon property in Iowa City, valued at \$1,800.

38

George Andrews, }
 R. H. Kelly, } \$1,250.

Date of note, May 8th, 1856, due twelve months after date, payable at the Banking House of Culbertson & Reno, Iowa City; if not paid at maturity, to draw interest at the rate of ten per cent. per annum, payable semi-annually, on the 1st of July and January. No security taken by Mr. Eads upon this note. The drawers refuse either to pay or secure the full amount of this note, and claimed that it was *usurious*. Mr. Andrews alleges that being in want of money, he applied to Mr. Eads, who informed him that he had no money belonging to the School Fund, but that he had funds of his own, which he would loan at 25 per cent. per annum. At that rate Mr. Andrews borrowed \$1,000, and executed this note for that amount, adding the interest for one year thereto. Mr. Andrews proposes to pay \$1,000, with interest at ten per cent from the date of the note, as full satisfaction thereof, which I did not feel authorized to accept. I am satisfied that Mr. Andrews will show the note to be *usurious*.

In this case, Mr. Eads makes \$1,000 paid out by him, in his account with the School Fund, answer \$1,250, and reports the note, *which does not draw interest until after maturity*, to have been taken by him for \$1,250 of the School Fund loaned.

39

W. J. Gilbert, }
 John C. Burns, } \$600.
 John R. McBride, }
 George Paul, }

Note dated May 6th, 1856, due two years after date, payable to

James D. Eads, Superintendent of Public Instruction, with interest at ten per cent., payable annually, January 1st of each year. No security taken by Mr. Eads upon this note. The first of the above names is understood to be the principal, the others securities. Mr. Gilbert has left the State, and I was unable to obtain any security on the note. I was advised that the securities are responsible, and that the amount of the note can be collected from them. No interest has been paid on it.

40

George S. Hampton,.....\$5,000,

Date of note July 12th, 1856, due five years after date, with interest, and payable as the preceding note. Secured by mortgage on real estate in Johnson county, valued at \$7,500. There are *prior* mortgages and judgments on the lands amounting to \$2,427 54, and one to secure an unsettled account against Mr. Hampton, upon which suit is now pending to foreclose. From all the information I could obtain, I am satisfied that a recovery in the suit will be had against Mr. Hampton for more than the property is worth. The mortgages, of course, were on record before the date of the note and mortgage taken by Mr. Eads. I could obtain no additional security upon the note, and consider the security now held as utterly worthless.

41

Elijah W. Lake, ...\$1,000.

Note dated November 5th, 1855, due April 1st, 1856, payable to Daniel Gillis, or order, with (as a penalty of default) two per cent. per month after maturity, until paid. Indorsed on note, "Rec'd on the within \$10, as penalty, April 30th, 1856. For value received, I assign the within to James D. Eads, or bearer, April 30th, 1856. Daniel Gillis."

Secured by mortgage on property in Iowa City, valued at \$3,500, upon which are liens by mortgages and judgment amounting to \$3,458. This note was evidently purchased or discounted by Mr. Eads, as a private or individual transaction, and afterwards turned over to the State as so much loaned. I could obtain neither addi-

tional security or payment on this note. The security now held for the note, I consider insufficient.

42

Jairus E. Neal, ... \$5,000.

Note dated July 12th, 1856, due five years from date, with interest at 10 per cent., payable annually, January of each year, at the office of the Superintendent of Public Instruction.

Secured by mortgage on land in Decatur county, Iowa, valued at \$5,170. I obtained additional security by mortgage on lands in same county, valued at \$1,320.

43

Joseph B. Dorr, }
Joseph Dorr, } \$4,000.

Note dated August 28th, 1856, due five years after date, with interest, and payable as the last note. Secured by mortgage on lots in Dubuque, and lands in Jackson county, and lots in Columbus, Alamakee county. The title of a portion of the property mortgaged, seems not to be in the Messrs. Dorr. The property mortgaged to which they have title, is valued at \$6,000.

44

T. J. Cannon, ... \$6,318 87.

Date of note December 16th, 1856, due four years from date, with interest, and payable as the last note, secured by mortgage on the De Moines House, Des Moines, and the furniture in said House. Mr. Cannon holds the real estate, by bond for a deed, and owes on it about \$13,000. The property is valued at \$14,666, which, in my opinion, is much above its worth. I was unable to obtain additional security upon this note, and consider the present security upon it entirely insufficient. The mortgage was not recorded until it came into my hands.

45

James A. Williamson, }\$8,300.
W. A. Scott, }

Date of note, June 26th, 1856, due five years after date, payable to James D. Eads, Superintendent of Public Instruction, with interest at ten per cent., payable annually. Secured by mortgage on real estate in Des Moines, (city,) valued at \$11,733. A portion of the property mortgaged, at the time of my examination of the record, had upon it a prior mortgage amounting to \$5,681, which, I am informed, has since been paid. This mortgage to Mr. Eads was not recorded until it was received by me.

46

W. A. Scott, }\$8,300.
James A. Williamson, }

Note precisely as the preceding one. Secured by mortgage on real estate in Des Moines, (city,) valued at \$17,666.

47

James D. Cavenor, }\$4,125.
J. M. Griffiths, }

Note same as No. 46. Secured by mortgage on lands in Warren county, valued at \$5,694.

48

Jos. M. Griffiths, }\$8,250.
Jas. D. Cavenor, }

Note precisely as No. 46. I found the mortgage given to secure this note insufficient, but perfected the security upon property valued at \$15,633.

49

James D. Cavenor, }\$4,126.
J. M. Griffiths, }

Note same as No. 47. Secured by mortgage on lots in Des Moines (city) and lands in Polk county, valued at \$9,666.

50

Jester Hodge, }\$1,000.
 J. D. Cavenor, }

Note dated July 1st, 1853, with interest, and payable as the preceding notes. Secured by mortgage on lots in Des Moines, (city,) valued at \$2,100.

51

J. B. Stewart, }\$8,250.
 T. A. Walker, }

Note same as No. 50. Secured by mortgage on lands in Polk county, and lots in Des Moines, (city,) valued at \$42,150.

52

Thos. H. Brooks, }\$4,000.
 J. A. Williamson, }

Note dated June 27th, 1856, due and payable, &c., as the preceding Note. Secured by mortgage on real estate in Polk county, valued at \$5,666.

53

John W. Stanton, }\$2,000.
 Alexander Shaw, }

Note same as No. 52. Secured by mortgage on lots in Des Moines, (city,) valued at \$3,766.

54

Alexander Shaw, }\$3,000.
 John W. Stanton, }

Note same as No. 52, and secured by mortgage on lands in Polk and Dallas counties, and lots in Des Moines, (city.)

Mr. Shaw seems to have no title to the lands mortgaged; but the real estate in Des Moines is valued at \$11,000.

Of the foregoing notes, it will be observed that Nos. 30, 35 and 37, are made payable to John Van Valkingburgh. An amount of money was placed in the hands of Mr. Van Valkingburgh, by Mr. Eads, to be loaned at such rates as could be had for it. Mr. Eads informed Mr. Van Valkingburgh that the money *was not a portion* of the School Fund. These notes were given for portions of this

money borrowed; and were not intended by the parties to be in any way connected with the School Fund.

Numbers 9, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 38, were also taken by Mr. Eads for money loaned as his own individual funds, as the borrowers in each case inform me.

Nos. 31 and 41 are notes purchased or discounted by Mr. Eads.

Numbers 8, 10, 13, 14, 15, 18, 19, and 36, were given for property purchased by different parties of Eads.

Number 29 is executed by Mr. Eads for money which he reports that he borrowed of himself.

Of the *fifty-four* notes reported by Mr. Eads to have been taken by him, for loans of the School Fund, 29 only were given by borrowers of that Fund.

The following statement will show the notes that were either without, or with insufficient or defective security, and the security thereto obtained by me.

No.	Names of Obligees.	Am't. of notes.	Amount of Security.	Security taken by me.
1	J. M. Anderson,...	640 00		1 200 00
2	J. S. Hamilton,....	1 200 00	600 00	
3	E. C. Crawford,...	800 00	500 00	
4	A. Stoddard,.....	1 000 00	of uncertain value.	1 000 00
5	R. W. Rothrock,..	2 000 00	1 200 00	
6	W. H. Leech,.....	3 000 00	1 500 00	
7	Leech & McFarland,	3 000 00		
8	J. A. Goodrich,....	1 125 00	1 000 00	
9	Boyles, Stemple & Hugel, ...	4 000 00	uncertain.	
10	A. T. Walling,....	10 000 00		10 000 00
11	A. T. Walling & Co.,	2 000 00	of uncertain value.	
12	J. D. Eads,.....	20 000 00	11 000 00	
13	T. J. Cannon,....	1 000 00		
14	T. J. Cannon,....	6 318 87		
15	W. H. White.....	500 00	1 000 00	1 000 00
16	H. T. King,.....	500 00		1 800 00
17	Geo. Andrews,....	1 250 00		
18	W. G. Gilbert,....	600 00		
19	Geo. S. Hampton,..	5 000 00		
20	E. W. Lake,.....	1 000 00		
21	J. E. Neal,.....	5 000 00	5 170 00	1 320 00
22	J. M. Griffiths,....	8 250 00	defective.	15 633 00
22	TOTAL.	\$78 183 87	\$21 970 00	\$31 973 00

It will be observed that Mr. Eads, by selling property on time and taking notes therefor, and loaning money at a usurious rate of interest, has realized the following sums in his transactions with the following persons, viz:

R. W. Rothrock,.....	\$1,000
W. H. Leech,.....	1,500
Leech & McFarland,.....	2,680
J. A. Goodrich,.....	325
Boyles, Stemple & Hugle,.....	2,000
B. Hugle,.....	200
Thomas Snyder,.....	1,500
George Andrews,.....	250

Total,.....	9,455
-------------	-------

By receiving Notes including these various sums, he was enabled to take in cash from the School Fund, to the above amount, and balance his account, by reporting said Notes as loans made by him.

By adding the above sum to the amount of his Note, and the interest he has collected, I find that he now has the use and benefit of \$30,644 83 at least, of the moneys committed to his official custody.

All the Notes may be divided into three classes, as follows:

1. Notes given to Mr. Eads for property by him sold, and for money borrowed of him, as his personal funds, and not as School Funds. This class will include Notes purchased or discounted by him.

2. Notes given him for *bona fide* loans of the School Funds.

3. *The Note executed by himself, for money loaned himself.*

FIRST CLASS.

The following Notes are of the first class:

1. A. Stoddard,.....	\$1,000
2. F. M. Hosselton,.....	500
3. R. W. Rothrock,.....	2,000
4. W. H. Leech,.....	3,000
5. Leech & McFarland,.....	3,000
6. J. A. Goodrich,.....	1,125
7. Boyles, Stemple & Hugle,.....	4,000
8. B. Hugle,.....	1,000
9. A. T. Walling,.....	10,000
10. A. T. Walling,.....	2,000
14. C. B. Waite,.....	1,000
12. T. J. Cannon,.....	1,000

13. W. H. White,.....	500
14. Thomas Snyder,.....	1,500
15. H. T. King,.....	500
16. George Andrews,-.....	1,250
17. E. W. Lake,.....	1,000

Total,..... \$34,375

From whatever source Mr. Eads obtained the money or property for which these Notes were given, it is apparent on the face of the Notes themselves, or from other competent or satisfactory evidence, that not one of them is of such a character as would authorize its being accepted as a loan of the School Fund. Every one of them was a private Note of Mr. Eads, obtained for money loaned, or property sold, and handed over to the State as loans of the School Fund. Of these Notes, the following are satisfactorily secured, and may be safely retained, with reasonable confidence in their ultimate collection :

A. Stoddard,.....	\$1,000
F. M. Hosselton,.....	500
B. Hugle, ...	1,000
A. T. Walling,.....	10,000
C. B. Waite,.....	1,000
W. H. White,.....	500
Thomas Snyder,.....	1,500
H. T. King,.....r.....	500

Total,.....\$16,000

Leaving \$18,375, on the Notes of this class, to be provided for by Mr. Eads or his securities. The collection of the full amounts of any one of the balance of the Notes of this class is hardly probable. But I feel warranted in saying that the following amounts may be collected, as follows :

	<i>Amount of Note.</i>	<i>Collectable.</i>
R. W. Rothrock,.....	\$2,000	\$1,200
W. H. Leech,.....	3,000	1,500
J. A. Goodrich,.....	1,125	800
George Andrews,.....	1,250	1,000
Total,.....	\$7,375	\$4,500
Collectable, ...	4,500	
	<u>\$2,875</u>	

Thus showing a loss upon these Notes, should they be recognized

as investments of the School Fund, of \$2,875, but reducing the above sum of \$18,375 to \$13,875.

The Note of Messrs. Boyles, Stemple & Hogle, will doubtless be paid in the event of their title to the land mortgaged by them being sustained, which I do not think at all probable.

I will state the loss upon, or deficiency in this class of Notes, at \$13,875.

SECOND CLASS.

The following Notes are of this class :

J. M. Reid,.....	\$10,000
Anderson & Reid,.....	640
Reid & Anderson,.....	640
Reid & Anderson,.....	680
J. S. Hamilton,.....	1,200
E. J. Toof,.....	420
E. C. Crawford,.....	800
L. J. Zwart,.....	4,000
J. K. Hornish,.....	2,000
E. J. Toof,.....	800
W. A. Thurston,.....	1,000
William Thompson,.....	1,000
Lauren Dewey,.....	2,000
Sylvester & Harrison,.....	2,100
W. J. Gilbert,.....	600
George S. Hampton,.....	5,000
J. E. Neal,.....	5,000
J. B. Dorr,.....	4,000
T. J. Cannon,.....	6,318 87
J. A. Williamson,.....	8,300
W. A. Scott,.....	8,300
J. M. Griffiths,.....	8,250
J. D. Cavenor,.....	4,125
J. D. Cavenor,.....	4,125
Jester Hedge,.....	1,000
J. B. Stewart,.....	8,250
Thos. K. Brooks,.....	4,000
John M. Stanton,.....	2,000
Alexander Shaw,.....	3,000

Total,.....\$99,578 87

Of this class, the following are without security, or insufficiently secured:

J. S. Hamilton,.....	\$1,200
E. C. Crawford,.....	800

W. J. Gilbert,.....	600
George S. Hampton,.....	5,000
T. J. Cannon,.....	6,318 87

Total, ...\$13,918 87

Of the foregoing, there can probably be collected upon the mortgages, and from the personal securities, as follows :

John S. Hamilton,.....	\$1,200
E. C. Crawford,.....	800
W. J. Gilbert,.....	600

Total, ...\$2,600

Leaving a total deficiency of \$11,318 87, upon this class of Notes.

THIRD CLASS.

The Note of Mr. Eads constitutes the third class. The property mortgaged to secure this Note is valued at 11,000, but I do not believe that sum can be obtained from it. I cannot believe that it was ever seriously intended by Mr. Eads that this transaction should be recognized as an investment of the school money. The money was held by him as an officer of the State; with or without authority to loan—it matters not. He appropriates to his own use 20, 000; calls it a loan to himself, and hands over as vouchers therefor, a Note signed by himself, and secured by mortgage on property worth about half the amount!! Code, Section 2618 provides, “If an officer within this State, charged with the collection, safe-keeping, transfer or disbursement of public money, unlawfully convert to his own use, in any way whatever, or use by way of investment in any kind of property, or loan without the authority of law, any portion of the public money intrusted to him for collection, safe-keeping, transfer or disbursement, every such act is embezzlement of so much of said money as is thus taken, converted, invested, loaned, or unaccounted for; and upon conviction thereof, he shall be imprisoned in the Penitentiary not exceeding five years, and fined in a sum equal to the amount of money embezzled; and moreover, he is forever afterward disqualified from holding an office under the laws and constitution of this State.”

To recognize this note in any other light than as an evidence of crime, would be setting a premium upon the violation of law, and giving free license to the embezzlement of public funds. In what-

ever light Mr. Eads regards this transaction, he has not seen proper to pay the interest on his note, amounting to several hundred dollars.

His securities hold a mortgage on the property by him mortgaged to secure this note, to indemnify them against loss upon his official bond. In any event this property will of course be applied to their benefit.

Considering therefore, Mr. Eads' note evidence only of defalcation, I charge him with \$20,000 00.

Mr. Eads received from the following persons the interest due upon their several notes, January 1st, 1857, which amounts to the following sums:

E. C. Crawford,.....	30 89
Wm. A. Thurston,.....	40 55
A. T. Walling,.....	666 49
J. A. Williamson,.....	422 00
Jester Hedge,.....	50 00

TOTAL,..... \$1,209 93

By adding the foregoing amounts together, we have the following results:

Loss and deficiency upon the first class of notes,	13,875 00
Loss and deficiency upon the second class of notes, ...	11,318 87
Amount of Mr. Eads' note,.....	20,000 00
Interest collected and not accounted for,.....	1,209 93

TOTAL,..... \$46,403 80

To this amount the fund of which Mr. Eads had control, will suffer loss, and for which his securities are in any event liable. These figures are below, rather than above the true estimate.

In estimating the amount to be made from doubtful notes, I have fixed the highest sum that could be realized by forced sale of the property mortgaged, and I have given Mr. Eads, in all the foregoing estimates, the benefit of notes that I am confident will be collected only by legal proceedings. This estimate is the most favorable for him that can be made.

The true statement of the deficit in Mr. Eads' accounts, gathered from the preceding pages is as follows, viz:

Loss upon notes of first class by reason of the loans being made without security,.....	11,318 87
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Amount of notes of second class, his private and individual notes, deducting amount of C. B. Wait's note, paid,.....	33,475 00
Amount of third class, Mr. Eads' own note,...	20,000 00
Amount of interest collected,.....	1,209 93
	\$65,903 80

The foregoing estimate is based upon the *notes and securities in my hands*, and not upon the amount of money which Mr. Eads received and disbursed. The sums he received may be easily ascertained, but it would be a difficult, if not an impossible task to ascertain the amount he disbursed. His reports do not agree with each other; his vouchers do not agree with his report, and in several cases, the books and statements of officers receiving money from him contradict both his vouchers and reports. It will be observed that in his published reports, he mentions two notes on T. J. Cannon, held by him, one for \$1,205 00, the other for \$5,000 00, and one on Cannon & Crigo for \$1,000 00. I received from the Auditor, one note on T. J. Cannon for \$6,318 87, and a note on T. J. Cannon, endorsed by C. G. Crigo, for \$1,000 90.

In discharge of the duty imposed by the act of the legislature, I made an examination of the books, papers and vouchers in the office of Superintendent of Public Instruction. I found that no books of account had been kept by Mr. Eads. There were various memoranda of sums of money distributed to different counties, and of loans made to different individuals. Some of these loans, of large amounts, were not in his published report, and it is not probable that the parties named ever received the money. There were numerous receipts and vouchers for money distributed to the different counties, which I examined and made memoranda of; of their authenticity I had no means of knowing. I addressed circulars to the School Fund Commissioners of the different counties to which the five per cent. fund had been distributed, asking statements of the amounts received by their counties. With three exceptions, I received such statements.

The following exhibits the amounts distributed to the counties, as shown by the vouchers in the office of the Superintendent of Public Instruction—by the statements of the School Fund Commissioners, and by the two reports of Mr. Eads:

COUNTIES.	Vouchers in the office of the Su- perintendent of Pub. Inst.	Reported by the School Fund Comm.	Mr. Eads' Reports.	
			December 1851.	July, 1852.
Appanoose, ...	1,000 00	1,000 00	1,000 00	1,000 00
Benton, ...	500 00	Probably 500 not reported.	500 00	500 00
Clinton, ...	500 00	500 00	500 00	500 00
Cedar, ...				500 00
Davis, ...	1,000 00	6,000 00	1,000 00	5,500 00
Des Moines, ...	7,000 00	7,000 00	7,000 00	7,000 00
Dubuque, ...	2,000 00	2,000 00	2,000 00	2,000 00
Henry, ...	11,927 00	11,927 00	11,927 00	11,927 00
Iowa, ...	300 00	300 00	500 00	500 00
Jackson, ...	1,000 00	1,000 00	1,000 00	1,000 00
Jasper, ...	2,500 00	2,500 00	2,500 00	2,500 00
Jefferson, ...	2,000 00	7,000 00	7,000 00	7,000 00
Jones, ...	500 00		500 00	500 00
Johnson, ...	8,700 00	8,700 00	8,700 00	8,700 00
Keokuk, ...	1,000 00	1,000 00	1,000 00	1,000 00
Lee, ...	17,900 59	17,900 59	17,900 59	50,700 00
Linn, ...	500 00		500 00	500 00
Louisa, ...	1,500 00	1,500 00	1,500 00	6,500 00
Lucas, ...	500 00	Probable 500 not reported.	500 00	500 00
Mahaska, ...	514 00	514 00	514 00	514 00
Marion, ...	1,000 00	1,000 00	1,000 00	1,000 00
Monroe, ...				500 00
Marshall, ...	500 00		500 00	500 00
Muscatine, ...	1,500 00	1,500 00	1,500 00	6,500 00
Polk, ...	500 00	Probable 500 not reported.	1,500 00	1,500 00
Potawatamie, ...	500 00	500 00	500 00	500 00
Scott, ...	1,500 00	1,500 00	1,500 00	6,500 00
Van Buren, ...	6,500 00	6,500 00	6,500 00	6,500 00
Wappello, ...	6,500 00	5,000 00	6,500 00	6,500 00
Washington, ...	500 00	1,000 00	1,000 00	1,000 00
Wayne, ...	500 00	500 00	500 00	500 00
Warren, ...				500 00
Hardin, ...				500 00
Total.	\$80,341 59	\$87,841 59	\$87,041 59	\$141,341 00

From the counties of Benton, Lucas and Polk, I received no report of the School Fund Commissioners. It is presumed that each of these counties received \$500 00. The vouchers from Benton and Lucas seem to be satisfactory. As vouchers from Polk, I found three receipts that were identical, except on the face of one

is endorsed *redeemed*. I concluded that the three were duplicates. The amounts charged to these three counties in the foregoing exhibit may vary from the true amount distributed, \$1,000 00, one way or the other.

It will be observed that the counties of Iowa, Jones, Linn, Marshall and Wappello have received, according to the statement of the School Fund Commissioners of those three counties, \$2,700 00 less than Mr. Eads' second report shows they received, and the county of Davis \$5,000 more. These vouchers, it will be observed, correspond neither with the reports of Mr. Eads nor with the statements of the School Fund Commissioners.

These vouchers purport to be signed by the School Fund Commissioners. They are contradicted and denied by the books and statements of those officers.

Mr. Eads received \$281,042 44 of the five per cent. fund, as shown by the accounts in the office of the Superintendent of Public Instruction, and under authority of law, loaned the State \$40,000. With the knowledge of these facts and from the preceding pages, the result of my investigation, I present the following as the true statement of the accounts of the late Superintendent of Public Instruction. In this account I give him no credit for the notes in my hands of the second class, viz., those taken by him in his private transactions, or for his own note; holding that a public officer has no right to use the public moneys and account for them in that way. Such conduct cannot be too strongly condemned. These notes may be held as *collateral security* for the deficit in Mr. Eads' account, but in no other way, and the amounts received on them passed to his credit:

JAMES D. EADS, *in Account with the Five Per Cent School Fund.*

January, 1856.	For amount received, ...	\$54,241 58
March, 1856.	“ “ “	226,800 86
	“ “ Interest rec'd, .	1,209 93—\$282,252 37

Cr.

By amount distributed to the counties, ...	87,841 59
By am't loaned the State	40,000 00
“ “ <i>Bona fide</i> loans, deducting \$11,318 87, on account of notes that will prove a loss, no security being taken, ...	88,260 00

Am't. received on C. B.
 Waits' note, ... 1,000 00—217,101 59

Deficit, ... \$65,150 78

I addressed the Comptroller of the Treasury of the United States, inquiring the amount of the five per cent. fund paid to the State of Iowa, and received the following in answer thereto :

TREASURY DEPARTMENT,
Comptroller's Office, Aug. 22d, 1857. }

J. M. BECK, Esq., *Agent, &c.*,

SIR—In reply to your letter of the 16th inst., I hand you the following statement of the five per cent. fund paid to the State of Iowa by the United States, the date of each payment, and to whom paid, viz.:

Year.	Amount paid by United States.	Date of Payment.	To Whom Paid.
1848	\$ 9,105 52	July 16, 1849	Thos. H. Benton, jr., Sup't of
1849	5,697 46	Sept. 23, 1850	ditto [Pub. In.
1850	6,464 36	Aug. 15, 1851	ditto
1851	11,901 90	Jan'y 10, 1853	ditto
1852	1,697 68	April, 4, 1854	ditto
1853	54,441 59	Dec'r 15, 1856	James D. Eads, Superintend't
1854	226,873 86	Jan'y 2, 1856	ditto [of Pub. In.
1855	185,785 32	Dec'r 26, 1856	Martin L. Morris, State Treas'r
1856	34,219 34	Not yet paid.	

Respectfully yours,

W. MEDILL,
Comptroller.

It will be observed, that by the foregoing statement of the Comptroller, Mr. Eads should be charged with 273 01 more than he is charged with in the accounts kept against him in the State Offices.

The statement of the Comptroller is presumed to be correct. The sum then of \$273 01 should be added in the final balance against Mr. Eads.

The following sums were received by me and paid to the Treasurer of State:

From C. B. Waite, of Chicago, principal and interest on his note, less express charge on same

from Chicago,.....	\$1,097 25
From F. M. Hosselton, interest on note....	50 00
“ J. M. Anderson, “ “	30 22
“ A. Stoddard, “ “	7 00
“ L. Z. Zwart, “ “	180 00
“ Boyles, Stemple & Hugle, “ “	45 57
“ A. T. Walling, “ “	46 12
“ J. M. Griffiths, “ “	421 50
“ Sylvester, Harrison & Bro. “ “	44 25
“ W. H. White, “ “	50 00
“ H. F. King, “ “	50 00
Total,.....	\$2,021 91

It may not be deemed improper for me to call attention to some facts in relation to the *official bonds* of the late Superintendent of Public Instruction.

It appears that June 10th, 1854, he filed a bond in the sum of \$25,000 00 with securities understood to be amply responsible. May 14, 1855, he files another bond in the same amount upon which is the following endorsement: “This bond was filed by Dr. Eads in lieu of his former bond, approved the 7th, and filed the 10th of June, 1854.”

“GEORGE McCLEARY, Secretary of State.”

The first bond is not to be found in the office of the Secretary of State; in fact it was given up to one of the securities by whom it is probably yet held, if not destroyed. No record was made of it.

Code, § 333, requires bonds of State officers to be filed and *kept* in the office of Secretary of State. Under the provision of chapter No. 34, of the code, securities of officers who are apprehensive of suffering by remaining surety, may have relief by applying to the proper officer, who, upon a proper showing, will require the officer to give new bond, which being done, the security shall be declared discharged from liability on the bond for *future acts*.”

See code, § 424. I am unable to surmise where the Secretary of State found authority to give up to parties interested this bond, which the law expressly says shall be “*kept*” in his office, and to accept in *lieu* thereof another obligation. The Governor being the officer who has the approving of the bonds of the Superintendent of Public Instruction, could in a proper case, and upon a new bond being filed, discharge the securities from liabilities for *future acts*. In this case, the *Secretary of State gives up the old bond, and*

accepts another "in lieu" of it, intending doubtless to discharge securities both as to past and future acts.

I was surprised to find that official bonds in custody of the Secretary of State, were not recorded. A legislative act upon this subject, might prevent further trouble, and loss to the State.

All of which I respectfully submit.

JOSEPH M. BECK.

NOTE.

Since the foregoing report was prepared, I have had a personal interview with the former School Fund Commissioner of Polk county, who informed me that the amount of the five per cent fund received by him of Mr. Eads, was \$1,500.

I find upon an examination of the records of Polk county, that the prior mortgage referred to in my statements concerning Note No. 45, does not appear to be satisfied.

J. M. BECK.

R E P O R T

OF THE

Trustees of the Iowa Institute

FOR THE

D E A F A N D D U M B ,

FOR THE YEAR 1857.

DES MOINES.

J. TEESDALE, STATE PRINTER.

.....
1857.

BOARD OF TRUSTEES.

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R E P O R T.

THE BOARD OF TRUSTEES OF THE INSTITUTION FOR THE DEAF AND DUMB, SUBMIT THE FOLLOWING REPORT TO THE GENERAL ASSEMBLY OF THE STATE OF IOWA.

Not many important changes have occurred to the Institution since its Report made to the last Legislature. The number in attendance has been necessarily limited by the want of accommodations. The buildings now occupied are capable of containing with safety and comfort to the inmates not more than twenty-five or thirty pupils; these with teachers and others employed making a family which can barely be rendered comfortable as at present situated.

But a reference to the accompanying catalogue will show that our number has been much above the capacity of our buildings and therefore we have submitted to an over crowded house rather than reject the mute appeals of those who have sought admission to the privileges of the Institution. Twice since the date of our last Report we have been visited by contagious diseases, the Measles and the Scarlet Fever. By the former of which we lost one of our most interesting pupils, Miss NANCY JANE EVANS, who, in her sickness and death by her patience and resignation, and her calm prospect of the inevitable hour, convinced all who saw her that her education, limited as it was, had not failed to carry to her mind a knowledge of those great truths which alone can render life profitable or death less terrible.

Our experience has satisfied us that we are totally unprepared for any contagious disease, wanting as we do, separate rooms for the sick, and therefore exposing all to the ravages of the destroyer. Yet we have endeavored notwithstanding these disadvantages to contend with disease and thus far our success, under Providence, has been encouraging.

The progress of the pupils has been highly gratifying, and their

general interest in their studies and attachment for their teachers have been favorable indications.

It is now a positive certainty, beyond even the shadow of a doubt, that the Deaf can be taught, and that the extent of their attainments is merely a question of time. It has been our chief aim thus far, to give our pupils a correct Knowledge of the English Language—a Language whose acquisition is known to be exceedingly difficult. To this fact every foreigner who has visited our shores can bear testimony.

Our native tongue is believed to be unphilosophical in more respects than one. We are aware of its importance and growing influence. Its inherent beauties and power are acknowledged.—We grant that it has clothed in splendor countless thoughts of genius, and contains within its wide embrace, some of the proudest triumphs of learning. But it has defects and they are felt nowhere more than by the Instructor of the Deaf. It would be far more easy to teach the ancient Greek or Latin, or the modern French and German, than our Vernacular.

The English Language seems a departure from nature and custom, and at almost every step the student meets with inconsistencies in individual words and sentences.

But patient labor here as elsewhere must conquer, and though we do confess that there are but few mutes who can compose elegantly, yet may we not ask how many, who are in possession of all their faculties can prove themselves Masters of the English Language?

To acquire a Knowledge of Geography, Arithmetic, History and Astronomy, is comparatively an easy task to mutes of ordinary capacity, for these branches may be taught without an extensive acquaintance with written language.

In our Institution as in other similar Institutions, and indeed in every field of Education there are several grades of intellect, from those only one remove above idiocy to such as can master all the difficulties in their course. Hence when any school is judged by those who are intellectually inferior, or by those who may have been under instruction but a few months, there is evidently a false standard employed.

Our Institution is open to the public, and we do not fear fair and intelligent examination.

The system of education which we use, contemplates man in

his triune character, and addresses itself to the Physical, Mental and Moral qualities of those who are taught.

We endeavor to make Physiology a practical Science.

We endeavor to fill the mind with useful Knowledge and teach it to think.

We endeavor to unfold the sublime truths of the Bible in such a manner as to cultivate the conscience, refine the feelings, and point the unfortunate for Salvation to Him, who, when on earth pronounced the divine "Ephphatha," and the deaf ears were opened, and the sealed lips no longer silent. We know not how we should tame the wild natures, and subdue the strong passions of some who come to us, if we were not permitted to avail ourselves of those aids which Religion affords.

We have not yet introduced a Trade into our Institution.—Partly because our appropriation has proved insufficient, partly because we have not had room, and partly because we are of the opinion that mutes should generally devote themselves to Farming, a pursuit peculiarly adapted to them, one in which they are exempt from the vices and dangers of cities, and in which health is often found and not often sacrificed.

We shall congratulate ourselves if we can be, though in a small degree, instrumental in checking the growing disposition of our people to crowd into towns and cities, the centres of wealth, and at the same time the centres of corrupt sentiment and crime.

The last census fixes the number of mutes in the State of Iowa, at three hundred and seventy-one. This statement is probably correct: as it almost corresponds with the general proportion of this class to the entire population, both in the United States and in Europe. Of this number many are not of suitable age and capacity to attend school. Let us suppose that one-fourth are qualified of the three hundred and seventy-one, we have about ninety who could be brought to an Institution, or on the supposition that only one-fifth are qualified, then we have about seventy to apply for admission, and this number will of course increase with the population of the State, and in the same ratio.

It is unnecessary for us to say that the wants of the Mutes of Iowa are not met by the provisions at present made for their education; inasmuch as it is clear that only a fraction of the whole number can be received into the existing Institution.

We cannot feel, however, that we have discharged our whole

duty toward this unfortunate class of our fellow-citizens, without presenting their claims for a permanent building; submitting it to the consideration of the Legislature, whether immediate action should be taken upon this subject, or whether it is policy to defer the erection of an Institution to a day when the pressure of financial embarrassments shall have passed from us.

It is beginning to be pretty generally conceded, that the "State should educate the children of the State;" and our common schools have already proved a public benefit, and are doubtless destined by reforms at present at work, to increase in usefulness. We rejoice at this gratifying fact, and only ask that misfortune may exclude none—neither the Deaf nor Blind—from that elevating knowledge to which the State would invite her other more fortunate children.

Circumstances, of course, will have to determine the manner and time of relief to those who are now debarred from the inestimable privileges of an education. But we shall indulge the hope that at no distant day a good education will be offered by our State, to every child capable of being instructed; not even excepting those miserable beings to whom nature has given but a single spark of intellect, and for whom Institutions, known as "Institutions for Idiots," have been opened with the most gratifying success in several of the older States. The spirit of the age opposes exclusiveness and regards with favor any project that promises the amelioration of humanity.

GENTLEMEN:—In the conclusion of this Report, permit us to recommend to your favorable attention the Institution over which we have been placed as Trustees. If success is any test of merit, we claim to have made no failure, and are assured that no small measure of good has already been accomplished. The buildings which we now occupy though infinitely inferior to such as are possessed by adjoining States, are better than any we can rent and hence should be used until we can procure one more favorable.

Owing to the impossibility of obtaining funds except by selling our State Warrants at a heavy discount, and owing also to the fact of our expenses being greater than had been anticipated, notwithstanding a studied economy; we feel compelled to ask an additional appropriation of one thousand dollars, for the year 1858.

The last Assembly made an appropriation of seven thousand dollars for the year 1857, and a similar amount for the year 1858. Of the appropriation for '57, there will not be sufficient to meet the annual expenses by some eight hundred dollars. Therefore we ask an additional appropriation of one thousand dollars for the year 1858.

There exists no provision for the support of the Institution for the year 1859. It is estimated that eight thousand dollars will be sufficient to cover the expenses of that year.

There are now in successful operation some twenty Institutions for the Deaf and Dumb in the United States. They indicate the spirit of the nation and the age. We hope before another generation shall have passed away, that this Institution shall take rank among the foremost in the land. We have the light of experience for our guide, and can improve by the errors of other States. We have faith in the generosity and wisdom of the present day; and confidence in a smiling Providence, and therefore without fear do we again commit the interests of the unfortunate mutes of Iowa to the intelligence and philanthropy of the first Legislature under the New Constitution.

F. A. SHEARER, PRES'T.

W. E. JAMS, Sec'y.

The success of the Institution has been owing almost exclusively to the acknowledged ability, and untiring attention of the Superintendent and Matron. For this field, PROF. JAMS is in every respect highly qualified. He spares no time, labor or means, in the successful prosecution of his self-denying work, to which he is earnestly devoted. He is greatly beloved by the pupils, whose interest is his constant care. And he not only succeeds admirably as their *instructor*, but by the assistance of his mother, in making them happy and at home while under his supervision.

We feel that he is not only worthy our highest commendation, but that we are under peculiar obligations to him for what he has done for our infant and prosperous Institution.

F. A. SHEARER, PRES'T.

CATALOGUE FOR 1857.

NAMES.	AGE.	RESIDENCE.	PLACE OF NATIVITY.	CAUSE OF DEAFNESS.
NANCY JANE EVANS. .	11	Danville.	Illinois.	Gatherings.
AMA FRIEND.	17	Tipton.	Ohio.	Cold.
ALESEPH WITHAM.	17	Brighton. ....	.....	
MATILDA C. BAYLES. .	18	Mt. Pleasant.	Ohio.	Chol. Infantum
SARAH MCGUIRE.	12	Iowa City.	Iowa.	Fever.
MARY HUGHES.	16	Anamosa. ....	.....	
MARY E. BOX.	15	Fort Madison.	Iowa.	Whoop. Cough
ELIZABETH MATHEWS. .	25	Washington.	Virginia.	
ANGELINE PACKWOOD. .	17	Agency City.	Indiana.	
MARY E. FOLWELL.	14	Winterset. ....	.....	
ELIZABETH HUMMER. .	14	Near Iowa City.	Iowa.	Congenital.
JULIANA WHEELER.	11	Iowa City.	Illinois.	
SARAH S. HUSTON.	20	Dallas Co.	Indiana.	Scarlet Fever.
MELISSA MORGAN.	15	Alden.	Iowa.	Scarlet Fever.
MARY LEE.	25	Glasgow.	Indiana.	Congenital.
LEAPHY F. E. PINNFO. .	15	Princeton.	Wisconsin.	Billious Fever.
MARY J. MOORE.	16	Lancaster.	Indiana.	Congenital.
JULIANA WEBB.	14	Albia.	Indiana.	Congenital.
LUCINDA WEBB.	11	Albia.	Indiana.	Congenital.
SARAH TAYLOR.	12	Independence.	New Brunswick.	Fever.
SUSANNAH MCCLURE. .	17	Northfield.	Iowa.	Scarlet Fever.
CATHARINE N. DONNEL. .	14	Hamblins Grove. ....	.....	Influenza.
MARY ———. ....	....	Davenport. ....	.....	
M. E. GRIFFITH.	15	Montezuma.	Ohio.	Fever.
DENNIS A. DEWEY.	20	Iowa City. ....	.....	
ANTHONY YEGGY.	24	Near Iowa City.	Germany.	
JOHN SKILES.	19	Marengo.	Indiana.	
EASTMAN LEE.	16	Glasgow. ....	.....	
JACOB MIDDLETON.	16	Wassonville.	Iowa.	
GEORGE W. FOY.	16	Tipton.	Iowa.	Lung Fever.
AUGUSTUS G. GARDEN. .	26	Bellefontaine.	Pennsylvania. .	
ISAAC LOTT.	16	Bellefontaine.	Michigan.	Congenital.
JOHN W. MOORE.	16	Lancaster.	Indiana.	Congenital.
DAVID HUSTON.	16	Dallas Co.	Indiana.	Gatherings.
GEO. D. HUSTON.	11	Dallas Co.	Indiana.	
JOHN HOLKA.	12	Toledo.	Germany.	
JASPER WEBB.	13	Albia.	Indiana.	Congenital.
JAMES TAYLOR.	21	Independence.	New Brunswick.	Fever.
GEORGE TAYLOR.	18	Independence.	New Brunswick.	Congenital.
MATHEW TAYLOR.	10	Independence.	New Brunswick.	Congenital.
GEORGE MATHEWS.	19	Canada. ....	.....	
WM. BRYAN.	21	Marengo.	Pennsylvania. .	Scarlet Fever.
WM. H. HARRISON. .	12	Pleasant Plain.	Iowa.	Spinal Affect'n
LEONARD SCHMOLE.	20	Fort Madison.	Germany.	
JOHN TRUTIG.	13	Muscantine.	Switzerland. .	
SAMUEL H. BLACK.	17	Knoxville.	Indiana.	Scarlet Fever.
CHARLES MATHEWS.	19	Danville.	Indiana.	
WM. P. MILLERMAN. .	21	Colesburg.	Philadelphia. .	Scarlet Fever.
CHAUNCEY GILBERT. .	10	Wyoming. ....	.....	Scarlet Fever.
HENRY KNAPP.	19	Cedar Falls. ....	.....	Congenital.

APPENDIX.

FINANCIAL REPORT.

From December 1, 1856 to January 1, 1858.

Balance in Treasury December 1, 1856,.....	\$1542 49 1-3
Appropriation for 1857,.....	7000 00
Interest on same,.....	84 93
From R. Mathews, acct. G. Mathews, a non- resident pupil,.....	110 00
Total Receipts,.....	\$8737 42 1-3

DISBURSEMENTS, &C.

For Current Expenses, Furniture, Medical Service, &c.....	\$5509 45
Rent.....	964 25
Salaries of Principal, 2 Assistants & Matron,.	2000 00
Discount on State Warrants and Interest al- lowed on Ins't orders,.....	291 92 1-3
Due Jan. 1st for Salaries,.....	525 00
Due N. Y. Inst. for Slates, Books, &c,.....	113 20
Estimate of other indebtedness to Jan. 1, '58,.	400 00
Total Expenses,.....	\$9803 82 1-3
Total Receipts,.....	8737 42 1-3

Deficiency,..... \$1066 40

The above statement will show the necessity for the appropriation sought in the present Report of the Trustees of the Institution. We need an additional one thousand dollars for 1858.—Our estimate for 1857, as before stated, is eight thousand dollars. All of which is respectfully submitted.

F. A. SHEARER, President.

W. E. JAMS, Secretary.

FIRST
ANNUAL REPORT

OF THE

State Historical Society

OF

IOWA.

FOR THE YEAR 1857.

DES MOINES.
J. TEESDALE, STATE PRINTER.

.....
1857,

OFFICERS FOR 1857.

PRESIDENT.

HON. JAMES W. GRIMES.

VICE PRESIDENTS.

HON. S. J. KIRKWOOD.

" F. H. LEE.

" H. W. GRAY.

" C. F. CLARSON.

" E. PRICE.

CORRESPONDING SECY. C. BILLINGS SMITH.

RECORDING " THOMAS HUGHES.

LIBRARIAN, JOHN PATTEE.

TREASURER, J. P. WOOD.

CURATORS.

HON. JOHN SHANE.

" D. P. PALMER.

" D. W. PRICE.

" CHAS. NEGUS.

" W. F. COOLBAUGH.

" S. H. LANGWORTHY.

F. W. BALLARD.

M. B. COCHRAN.

H. D. DOWNEY.

E. K. RUGG.

WM. VOGT.

T. S. PARVIN.

HON. W. PENN CLARKE.

J. C. CULBERTSON.

G. D. WOODIN.

HON. G. W. McCLEARY.

LE GRAND BYINGTON.

HON. S. G. WINCHESTER.

Objects of Collections desired by the Society.

1. Manuscript statements of Pioneer Settlers—old Letters and Journals, relative to the early history and settlement of the State; biographies and notices of eminent citizens, deceased; and facts illustrative of our Indian tribes, their history, characteristic sketches of their prominent Chiefs, Orators and Warriors, together with contributions of Indian Implements, dress, ornaments, and curiosities.

2. Files of old Newspapers, Books, Pamphlets, College Catalogues, Minutes of Ecclesiastical Associations, Conventions, Conferences and Synods, and other publications relating to the history of the State.

3. Information respecting any ancient coin, or other curiosities found in this State. Drawings and descriptions of any ancient mound or fortifications, are especially solicited.

4. Indian geographical names of streams and localities in the State, and their signification.

5. Books of all kinds, and especially such as relate to American History, travels and biographies in general, and in the West in particular, family genealogies, old magazines, pamphlets, files of newspapers, maps, historical manuscripts, autographs of distinguished persons, coins, medals, paintings, portraits, statuary and engravings.

6. We solicit from Historical societies and other learned bodies, that interchange of books and other materials by which the usefulness of Institutions of this nature is so much enhanced—pledging ourselves to pay such contributions by acts in kind to the full extent of our ability.

7. The Society particularly begs the favor and compliment of

authors and publishers, to present, with their autographs, copies of their respective works for its Library.

8. Editors and publishers of newspapers, magazines and reviews, will confer a lasting favor on the Society, by contributing their publications regularly for its Library—or, at least, such numbers as may contain articles bearing upon Iowa history, biography, geography, or antiquities; all of which will be carefully preserved for binding.

We respectfully request that all to whom this circular is addressed, will be disposed to give to our appeal a generous response. Donors to the Society's Library and Collections will be placed upon the list of exchanges, and receive equivalent publications of the Society, the issue of which will soon be commenced and regularly continued. It is very desirable that all donors should forward to the Corresponding Secretary, a specification of books, or articles donated and sent to the Society.

FIRST ANNUAL REPORT.

TO HIS EXCELLENCY, JAMES W. GRIMES,

GOVERNOR OF THE STATE OF IOWA.

SIR:—The undersigned Board of Curators, of the State Historical Society of Iowa, in compliance with the act of the General Assembly, granting two hundred and fifty dollars annually to the Society, beg to present our first annual Report.

The total receipts of this year, have been \$300, and the disbursements \$61,38, leaving in the Treasury \$238,62.

The Society was organized in March of this year, and while we can show but little gain in the great and important work in which we are engaged, we are happy in being able to congratulate the members of the Society and the citizens of the State on the fact that plans have been projected and comparatively matured, by which we hope to exhibit a large measure of success in future.

The Institution is of a permanent character, and its object is of such a nature, that its success must be the result of a well defined and comprehensive system. While it has been our study and labor to perfect such a system, we feel no little pride in the fact that the Society has already secured the cordial sympathy of men of Letters abroad, and the warm approbation of many of our own fellow citizens.

We have sought, and to some extent succeeded in obtaining copies of the different papers published in the State. Many valuable pamphlets have also been contributed, together with a very choice collection of Maps and Charts of the State. It is very desirable that those publishers of newspapers, who have contributed

their respective publications, should continue to do so, and if possible send them from the commencement. A collection of all the papers, pamphlets &c., published in the State, carefully preserved, would not only be invaluable as furnishing material for the future historian, but the just pride of our people. Beginning thus early, we hope for success, provided we have the hearty co-operation of those interested. No paper is too trivial to be preserved, and we beg that everything published in the State—papers, periodicals, pamphlets, books, Minutes of Ecclesiastical Associations, and even hand bills of every description may be sent to this Society.

We have made a good beginning in collecting books for a Library. We have received many valuable works from members of the Society, from Authors, from State, and other public Institutions. We have made no purchases, but have plans that will when matured, we trust, result in securing a collection of historical works, that will be the pride of the State.

The daguerreotypes of a few of the early settlers and prominent men of the State, have been sent us, and we have the promise of the portraits of all the Governors of the State, from its first organization as a Territory. It is anxiously to be desired, that the portraits of all the prominent, and public men of Iowa, should be obtained. Such a Gallery would be interesting, not only as a work of art, but aid in no small degree to illustrate the history, and the representative men of the State.

We have means in train to secure personal memoirs of the Governors of the Territory. and of those historic men, whose biography would contribute to illustrate our history. We are searching also, for a class of men in the various counties and towns, who will contribute the history, or the more prominent facts of their respective localities.

We are well aware that our annual publication is designed to be the repository of a large class of valuable historical and statistical matter relating to Iowa, and we hope in our succeeding reports, to secure this object. We have withheld in this report, many facts and much historical information that we have obtained, from the fact that what we could print is not sufficiently full and accurate, to answer any wise purpose. The blade appears, the harvest is confidently anticipated.

But, for the purpose of securing, in this most noble enterprise, what cannot be looked for, but by the most persevering and constant self-sacrifice, that but few men can be expected to make, our corresponding Secretary, should give his whole time to the work, which will require an annual appropriation, of at least one thousand dollars, from the General Assembly. We beg leave, therefore, to call your attention to this fact, and hope you will feel it of sufficient importance, as well as consistent with your opinion and views of State policy, to recommend to the Assembly in your Annual Message, an appropriation for this purpose.

In our older States, filled with men of wealth and leisure, such an appropriation might be uncalled for, but in our own State, where citizens are necessarily all absorbed in building homes, and securing fortunes, we cannot find a sufficient number of men, willing to give their time and money, that are requisite to success in this enterprise. We have men who love this work, and feel a deep interest in gathering up and preserving, whatever may serve to illustrate our history, but they cannot devote themselves to it. In our older States, however, the office is not filled for the honor of the position, but the requisite funds are usually contributed by members of the Society, or obtained from a permanent fund, secured by liberal donations from friends of historical research.

In concluding this report, the Board beg leave to call your attention, and that of our citizens, to a single paragraph in the annual report of the New York Historical Society. It expresses our own sentiments, and articulates our own feelings.

“The advantages resulting from the study of history, and the collection of historical records, cannot be too strongly urged on the attention of the members of this Society. In order that history may be written, the most authentic materials must be provided. No generation comprises within its own knowledge and experience all that is necessary to secure the integrity of its annals. It must rely upon records, it must examine and compare opinions, it must study the events of the past. It must have the means of investigation and analysis at hand. Collections like these by which we are surrounded, and which are designed to preserve the memories of other days, will be deemed of inestimable value by generations which are to come after us. Such works

are a blessing to mankind, since they furnish men with a true standard of character, excite them to a noble emulation, keep alive the stimulus of honorable example and prevent that lapse of national reputation, which would be unavoidable without the incitement and influence of great names and great deeds."

In behalf of the Board of Curators,

C. BILLINGS SMITH,

IOWA CITY, December 1st, 1857.

COR. SEC'Y..

EIGHTH ANNUAL ANNOUNCEMENT

OF THE

COLLEGE OF PHYSICIANS AND SURGEONS,

OF THE

IOWA STATE UNIVERSITY.

J. TRESDALE, STATE PRINTER.

MEDICAL DEPARTMENT.
AMOS DEAN, L. L. D.,

PRESIDENT OF THE UNIVERSITY.

FACULTY.

D. L. M'GUGIN, M. D., Professor of Physiology and Pathology,
and President of the Faculty.

FREEMAN KNOWLES, M. D., Professor of Theory and Prac-
tice of Medicine.

J. C. HUGHES, M. D., Professor of Surgery and Dean of the
Faculty.

A. S. HUDSON, M. D., Professor of Obstetrics and the Diseases
of Women and Children.

WELLS. R. MARSH, M. D., Professor of Chemistry and Tox-
icology, and Treasurer of the Faculty.

DANIEL MEEKER, M. D., Professor of Anatomy.

MONTGOMERY JOHNS, M. D., Professor of Materia Medica,
Therapeutics and Microscopy.

HENRY STRONG, A. M., Lecturer on Medical Jurisprudence.

JOHN J. PAGE, M. D., Demonstrator of Anatomy.

J. WARD DAVIDSON, M. D., Prosector of the Chair of Anat-
omy.

Since the last, the seventh, session of this institution the Trus-
tees and Faculty have, by a change in the distribution in the
different departments, instituted another chair in addition to the
six hitherto in the school. In accordance with this arrangement
it will be seen by reference to the statement above of the organ-
ization of the Faculty, that Prof. A. S. Hudson, M. D., one of the
original incorporators of the school, and for some years one of the
Faculty, has been appointed to the chair of Obstetrics and Diseases
of Women and Children, and Montgomery Johns, M. D., during

the last session, lecturer on Physiology and general Therapeutics, has been appointed to the chair of Materia Medica and Microscopy. The deserved popularity of Prof. Hudson, as a teacher during his former connection with the school, and his known ability and acquirements in medical science, render this acquisition one of great value.

With a Faculty thus complete in numbers, and made up of those ardently devoted to the practice of their profession and to the furtherance of the interests of medical science, the Trustees feel warranted in saying that the institution will enter upon its next annual session with every facility for making the course of instruction all that can be desired or found in any of the schools of the country.

FREE LECTURES.

The American idea of making the education of its citizens one of the first duties of governments it is well known has been carried out in all of the new States by donation to them by the general government of school and university lands. The proceeds of these lands are made a permanent endowment to common schools and a university, the interest upon which is devoted to the maintenance of teachers and faculties in the same.

In the original organization of the medical department of the Iowa State University, this consideration was given its due weight with the avowed intention of carrying out to the full the idea, so soon as the pecuniary condition of the institution should seem to warrant the step. In view of this, some years since, a system of scholarships, to be placed in the hands of certain State officers and by them conferred upon students seeking instruction in the State institution, was duly arranged and carried out. These scholarships entitled the holder to instruction in the institution at a price considerably reduced from that of those who were not in receipt of them. In this manner the benefits of the institution have been extended to many who must otherwise have been forced to forego them.

But the time having arrived when it seemed possible to carry out fully the original intentions, the Trustees have concluded to announce the *entire abolition of fees* except those for matriculation and graduation. In doing this they feel that they are but consent

ing to a demand of the public sentiment both within and without the profession, and that demand one in whose justice they heartily concur.

In view, however, of the reduction of expense of education to the student, it is the determination of the Trustees and Faculty to demand in return full compliance with the established requisitions, and furthermore it will be the constant aim of those concerned in the management of the institution to assist in elevating the standard of these requirements until they shall be able to secure the unqualified approbation of the profession of the country.

UNIVERSITY BUILDINGS, APPARATUS, &c.

The college buildings heretofore occupied having been found insufficient for the accommodation of the classes, a new brick edifice is in process of erection, and it is intended to be ready for the opening of the ensuing session if possible. This building, sixty-five by ninety feet and three stories high, will contain two spacious lecture rooms, a commodious laboratory, dissecting room, museum and hospital room sufficient for thirty to forty beds.

Arrangements have also been made for the purchase of new appliances for teaching in the various departments. The chemical laboratory will be replenished with new apparatus sufficient, with that already in possession, to make the facility for teaching this science all that can be desired.

In practical anatomy the advantages are ample. The supply of material is abundant, and every student is required to dissect one session. The personal supervision of the professor of anatomy, and the attendance of the Demonstrator, will afford every opportunity for improvement.

There is, in the college buildings, a museum, already valuable and yearly becoming more so. It includes numerous valuable and accurate botanical plates, a great variety of casts and models, including many wax preparations, a splendid suit of *Materia Medica*, abundant dry and wet anatomical preparations and morbid specimens, and many interesting illustrations of natural history, Geology, &c.

To increase the number of surgical operations and induce patients from a distance to present themselves, all necessary arrangements have been made for their accommodation by the professor of surgery.

A large number of minor and capital surgical operations are performed before the class each year.

All surgical operations before the class are performed gratuitously.

HOSPITAL AND DISPENSARY.

The University Hospital was constructed by the city, in immediate connection with the old college buildings, and was placed under the medical control of the faculty. It will be so arranged that students may enjoy equally all its advantages. Clinical instruction will be regularly given by the appropriate professor at this hospital.

In connection with the new college building, the faculty are about to establish a city dispensary for the purpose of securing further clinical instruction to the students, and every pains will be taken to afford opportunity for each to personally examine the cases prescribed for.

COURSE OF LECTURES—SESSION OF 1857-8.

The regular course of lectures will commence on Thursday, the 29th of Oct., and continue until the 1st of March. Six lectures will be delivered daily on the various branches of medical science. The public Introductory will be delivered on Thursday, P. M., by Prof. Hudson. The annual graduation exercises will be held, and the degrees conferred at the close of the term. Every student will be required, within two weeks after the opening of the session, to take his tickets and pay the regular fees.

The following are the requisites for the diploma:

1. The candidate must be twenty-one years of age—and present testimonials of a good moral character.

2. He must have attended two full courses of medical lectures; one of which must have been delivered in the medical department of the Iowa State University, or evidence of three years reputable practice will be regarded as equivalent to one course.

3. The candidate must have studied medicine three years, (including the courses of lectures) under the direction of a respectable medical practitioner.

4. He must furnish an original medical Thesis, (in his own hand writing, accompanied with his graduation fee,) which must be

handed to the Dean, at least four weeks before the close of the session, and which shall, upon examination, prove satisfactory.

5. He must, at the close of the term, pass an examination satisfactorily to the faculty.

FEES, &c., &c.—The fee for the Diploma is \$30 00; Matriculation ticket \$10 00; the fee for admission into the dissecting rooms and demonstrations is \$5 00. This covers the entire cost to the student.

Members of the profession from every part of the country, who are graduates of medicine, will, on presenting their diploma to the Dean, be admitted gratuitously to all the lectures.

Board can be obtained in the city at from \$3 00 to \$3 50. Students, upon arriving in the city, can obtain information as to good boarding houses, by calling at the office of the Dean, on Second street, near the St. Charles Hotel.

Medical books may be purchased at the book stores in our city, on as good terms as in any western city.

All letters of inquiry may be addressed to

J. C. HUGHES, Dean of the Faculty.

NOTICES.

To practitioners and students of medicine who may have received scholarships, we would say that their presentation to the Dean at the opening of the session becomes unnecessary, as all students are received upon the payment of the matriculation fee of \$10 00.

The faculty of the medical department of the Iowa State University, would call the attention of the profession throughout the entire west, to the fact that all patients, medical or surgical, when coming before the class, will be operated upon or prescribed for gratuitously; and the profession would confer a favor upon the institution and those connected with it, by sending cases which they may not wish to treat themselves. Our surgical clinics have generally been large—as many as three cases of Lithotomy have been operated upon before the class during one session.

TEXT BOOKS.

Students would do well to furnish themselves with copies of some of the following works on the different departments;

Anatomy—Morton; Wilson; Cruveilhier.

Chemistry—Rand; Turner; Lehmann.

Institutes—Kirkes; Carpenter; Williams.

Practice—Wood; Watson.

Materia Medica—Wood's Therapeutics; U. S. Dispensatory.

Surgery—Miller; Chelius; Erichson; Druitt.

Obstetrics—Cazeau; Meigs; Ramsbotham; Churchill.

Diseases of Women—Colombot; Churchill; Bennett.

Diseases of Children—Billard; Condie; Meigs.

Practical Anatomy—Agnew; Dublin Dissector; Wilson's Dissector.

BECK OR TAYLOR'S Medical Jurisprudence.

To the Hon. Maturin L. Fisher,

Superintendent of Public Instruction:

SIR—In conformity with the regulations established by our Legislature in relation to our State University, it becomes my duty, as Dean of the Medical Department, to transmit through you to its honorable members, a report of the financial and scientific condition of said department.

Since the last report to your honorable body, much of interest has transpired in this department. It will be seen by reference to our eighth annual circular, which accompanies this report, that the number of students in attendance the last term shows a large increase over that of any former session.

From a class of fourteen (14), our numbers have increased to more than eighty (80) matriculants, with a graduating class of twenty-two (22). The number of students in attendance the present session, which opened October 29th, is equal to that of the last, while the classes of most of the medical schools of the country have fallen off nearly one half.

While in our infancy, the citizens of our young and flourishing city, assisted by the State, provided the necessary building and appliances for the accommodation of our classes. These, only intended for temporary purposes, have become insufficient. The wants of the Institution demand other and better buildings, with additional appliances. Our classes, then small, have largely increased; the museum, which scarcely deserved a name, has now become extensive and valuable.

In view of these absolute necessities, the Trustees and Faculty asked your honorable body, at its last session, for an appropriation, which, it will be seen by reference to your journal of that date, was made by almost a unanimous vote. Unfortunately, this did not receive the signature of the Governor, and the Institution has therefore been deprived of any benefit from it.

There being no alternative, the Faculty, at the close of the last

session, determined to go on with the work. Arrangements were made for the completion of a commodious building, and the work commenced, but owing to the great financial revulsion, which is familiar to every one, the Faculty were unable to complete it. Nearly four thousand dollars have already been expended upon the building. To leave it in its present condition, would be to sacrifice the property donated to the department, as well as crush an institution which has struggled through many difficulties, and now occupies a proud position among the medical schools of our country.

The building which has been commenced is of brick, presenting a front ninety (90) by sixty-five (65) feet in depth, and three stories high, surmounted by a dome twenty feet in diameter. It will contain two spacious lecture rooms—the Anatomical Amphitheatre occupies the centre of the building, and will be lighted from the dome—a spacious Museum room—Laboratory and Apparatus room—Faculty and Library rooms—public and private Dissecting rooms. In addition to these, there will be a number of lodging rooms for surgical cases which may present themselves for operation during the session. The basement, which is already completed, is very conveniently arranged for the use of a family, who will have charge of the building and any patients brought there for operation.

The architect, whose plans will be laid before your honorable body during the session, estimates the entire cost of the building at \$25,000; but owing to the depreciation in the price of material, as well as of labor, since its commencement, the Faculty think that the entire cost will not exceed \$20,000. In addition to the amount required for the completion of the building, it is also necessary to make additions to our appliances in the way of chemical apparatus, anatomical and pathological specimens.

While we ask from the State the appropriation of an amount only sufficient to meet the necessary expense for the future welfare of the Institution, we feel that we are only asking an amount justly due the Medical Department of the State University. It is known to every member of your honorable body, that since the establishment of our State University in 1849, the Medical Department is the only integral part of the University which has been in successful operation, until the organization of the Literary Department at Iowa City some two years since. While the Medical Department has been educating the young medical men of our State almost

gratuitously, not a dollar has been received from the University fund for its support.

By reference to our circular, it will be seen that a vital change has been made in our policy—since our last report to your honorable body, relating to the abolition of fees for medical instruction. *The Medical Department of the Iowa University is now a free Institution to every citizen of the State.*

The genius of education in the United States presumes to be efficient and general. To be general, it demands also to be free; to be efficient, it is necessary that the educational instrumentalities shall be well furnished and every way competent.

The American Medical Association, to which is conceded the privilege of deciding upon plans of medical education in the United States, has passed upon the free policy in terms of commendation. The State of Michigan took the lead. She has her amply endowed University, and a well paid corps of medical teachers. Iowa is the second State to take the gigantic step. But while our sister State has generously set apart a munificent fund from her own treasury for its yearly support, we as a Faculty have embraced the scheme without asking compensation.

The State nine years ago adopted the Institution as its child. It has outgrown its infantile drapery. The required exigencies supplied, its independence and well proportioned manhood is attained.

While years of arduous labor and toil have been gratuitously spent in securing for the Department its deservedly high reputation, the Faculty are still willing to labor without asking any other remuneration than that secured by the necessary building and appliances. Give us these, and we will carry out the American idea of making the education of her citizens free, which we believe is one of the first duties of every government.

Respectfully Yours,

J. C. HUGHES, Dean

Medical Department of Iowa State University.

Keokuk, Iowa, Jan. 1st, 1858.

R E P O R T
OF THE
WARDEN OF THE IOWA PENITENTIARY.
FOR THE YEAR 1856--7.

OFFICERS OF THE IOWA PENITENTIARY.

INSPECTORS,

F. O. DORR, ESQ., *Chairman*,
GEO. SHEDD, M. D.,
P. C. BABCOCK, ESQ.

WARDEN AND TREASURER,
HON. P. INSKEEP.

DEPUTY WARDEN,
M. P. GRIFFIN.

CLERK,
R. A. BROWN.

PHYSICIAN,
F. N. SMITH, M. D.

MORAL INSTRUCTOR,
REV. I. P. TETERS.

R E P O R T

To the Honorable, the Legislature of the State of Iowa :

In compliance with the requirements of the statute, the Warden of the Iowa Penitentiary would respectfully submit the following statements and tables, as showing the transactions of that institution for the year commencing on the first of October, 1856, and ending on the 30th of September, 1857.

Entering upon the duties of my office on the first day of May last, I can only speak from personal observation of transactions since that time—a period of five months of the year which I am called upon to report.

The transactions of the first seven months of the year being unknown to me, further than the records left in my hands, by my predecessor, represent them. These are in many respects imperfect, and therefore not reliable.

When I took possession of the prison, I found the yard, cell-room and kitchen, in a state of filth almost indescribable. Part of the yard, near the cell-room, had been used as a yard for the Warden's cows, and filth of every description had accumulated throughout the whole premises.

There was scarcely a sufficient quantity of provisions of any kind to last for a single day, and the whole institution showed a lack of attention that could only be attributed to gross carelessness or wilful mismanagement.

Several of the prisoners were afflicted with symptoms of the scurvy, and for a long time it required the strictest attention to the diet to prevent that malady from spreading further.

A thorough cleaning of the whole premises was commenced as soon as possible, and I have endeavored to establish such regulations with regard to cleanliness and diet as would best promote the health of the prisoners under my charge.

The general health of the prisoners has been much better during the past summer than at any previous time, and I think our books will show a much greater proportion of the men at work.

The number of prisoners has considerably increased during the year—the greater portion during the past three months.

The number in confinement Oct. 1, 1856,.....	32
Received since that time,.....	22
Recaptured, ...	1
Total,.....	55

This number has been reduced as follows :

Discharged by expiration of sentence,.....	5
“ “ pardon,.....	2
Escaped in 1856,.....	1
Total, ...	8

Leaving in confinement Sept. 30, 1857,.....47

I am happy to record that since my connection with the penitentiary, there have been no escapes, notwithstanding the insecurity of the old plank fence which encloses the prison yard. This I can only attribute to the vigilance of my officers, who have, with no more securities than have heretofore existed, and with nearly double the number of prisoners, prevented all attempts to escape.

A wall is in progress of erection around the yard, which, when completed, will make this as secure as any institution of the kind in the country, and the present wants of the “institution” demand its speedy completion. The number of prisoners is constantly increasing, and unless appropriations are made so that it can be finished early next season, there will most certainly be a general stampede of the prisoners.

One convict, who escaped in November, 1856, was recaptured in Tennessee, and brought back in June last by the Deputy Warden, M. P. Griffin.

In 1856, during the term of my predecessor, there were five escapes within three or four months, and only one of the fugitives, as is stated previously, has been retaken.

Such frequent escapes have an extremely bad effect on the remaining prisoners, rendering them uneasy and refractory, and destroying all the ends for which confinement in the prison is intended.

A Penitentiary like this should afford such absolute securities against escapes, that no prisoner once within its walls should indulge a hope or thought of deliverance, except through the same power that placed him there—so secure that the inscription might appropriately be placed over the entrance,

“Leave hope behind all ye who enter here.”

Then can this prison be made a place of punishment as well as reformation. Shut out from society, and debarred from social intercourse with each other, the inmates within its walls will have time for reflection and repentance; then will the voice of kindness fall with its sweetest accents upon their ears, and their hearts will yearn for a reunion with that society whose rights they have forfeited, and whose laws they have transgressed; and with the enforcement of the strictest discipline, they may be made to feel the full weight of the punishment which the law has inflicted, while they will learn that strict compliance with the rules and regulations of the prison, will win for them esteem even within its walls, and that obedience to law is the only safe line of conduct in any situation.

The discipline here is mild, and at the same time sufficiently strict to keep up proper order and good behavior among the convicts.

The law passed at the last session of the General Assembly, giving a diminution of time of four days each month after three months of good behavior—has had a very good effect as far as my experience extends. It operates as a powerful incentive to good conduct by offering a reward to all who obey the prison rules. And it is seldom that a more severe punishment is required, than a deprivation of the reward for any trivial misdemeanor.

There is a library of over two hundred volumes belonging to the institution, and in addition nearly all the prisoners are supplied with Bibles and Hymn Books. Most of the convicts are habitual readers of the books of the library, or other reading matter occasionally furnished them by the officers.

Each prisoner is furnished with a light in the evening for a short time before retiring to bed, and is allowed an opportunity of reading. The gloom of many a lonely hour is dispelled amid the company of their books, and impressions made that may lead them to a better life, and form a security against future temptation.

The duties of Moral Instructor, or Chaplain, have been discharged

during the greater portion of the year by the Rev. Mr. Teter, of the M. E. Church. Service is held on Sabbath mornings usually at eight o'clock. The prisoners are very attentive during Divine service, and it is hoped that they have profited by the counsel he has so fervently imparted.

I have elsewhere alluded, briefly, to the general health of the convicts.

The report of the Physician, appended to that of the Inspectors, will show the diseases treated, and other particulars and statistics pertaining to his department. We have no hospital where the sick can be properly taken care of, and I would most respectfully recommend your attention to this want of the institution.

At this time there is but one female convict in the prison; she is employed, making clothing for the male convicts. There is no apartment suitable for female prisoners, and as we may soon expect an addition to the number, some provision should be made for their accommodation and safe keeping.

The financial and other tables annexed to this report, will show the expenses, receipts, indebtedness, &c., of the institution, during the last fiscal year, and also some statistics with regard to the crimes, ages, nativity, &c., of the prisoners now in confinement.

The large increase of prisoners, and the prospect of a much larger number before another session of the Legislature, renders it necessary that your honorable body should take some decisive action in regard to the resources of the prison, and place its finances upon such a basis that they will not be a constant source of embarrassment and annoyance to the Warden and Inspectors.

We want an appropriation to pay off all the present indebtedness of the institution. Creditors are clamorous for their pay. Many of the accounts are for supplies, provisions, wood, &c., delivered before I came into office.

The last session of the Legislature made an appropriation of nearly three thousand dollars, to pay off the indebtedness of the prison. This amount was entirely expended by my predecessor.

No appropriation was made for the general support of the institution, and when I came into office, the prison was entirely destitute of funds. By the advice and counsel of the Governor, the Inspectors proceeded to set aside a portion of the amount appropriated for building the wall, to supply some of the most pressing wants; but

this has not sufficed to pay off the creditors, or meet the current expenses.

Laboring, then, under the disadvantage of having to buy almost entirely on credit, I can never take any advantage of low prices; but in most cases have to pay a large per cent. above the market prices of all articles purchased.

At the last letting of contracts for supplies, on the first of October, 1857, bids were received for but few of the articles needed, and these at prices much higher than the same articles could have been bought for with money or on short credit.

The amount of expenses for general support have been very high during the past summer. The prices of all articles required were never so high before, and being obliged to buy on a credit with no fixed time of payment, or what amounts to the same thing, await an appropriation of the Legislature, I have been compelled to make much larger expenditures, than would otherwise have been necessary.

If an appropriation for the payment of all the old indebtedness could be made, and a sufficient amount furnished for current expenses until another session of the Legislature, the Penitentiary could for once be clear of debt, and the expenses for the ensuing two years be materially reduced.

The interests of the State demand that the Warden should have the means at his disposal to buy supplies at the lowest possible rate, and that all claims against the Penitentiary be paid off.

Considerable expense has been incurred in making improvements and repairs. The Clerk's office has been removed from its former inconvenient location in the second story of the building, to the main entrance hall, where it is far more accessible to all having business at the prison, and affords additional security to the entrance of the yard. A temporary wash-house has been erected during the summer, with conveniences for heating water, troughs for washing, where all the prisoners are required to wash their entire bodies at least once a week.

We shall soon need a larger and more commodious building for washing, soap-making, &c.

The contractors pay at the rate of one hundred and nine dollars annually, for the labor of each convict employed by them, provided no time is lost by sickness. The labor of one hundred men would thus amount to over \$10,000 yearly, abating the time lost by sick-

ness. The State at this present time employs some four or five prisoners for the purpose of cooking, washing, and doing necessary chores, whose earnings make no show in our cash receipts. Also various necessary repairs have been done by convicts; this should, strictly, be added to the general earnings, and thus help swell the balance in favor of the prison. But this has not been done in keeping the accounts: it was not deemed important to do anything more than call attention to the fact.

When this institution shall contain a large number of prisoners, as we may expect in a very few years, I see no reason why it may not become self-supporting, as well as similar institutions in other States.

It is a source of much gratification to me, that while the contractors in many of the eastern Penitentiaries are throwing up their contracts, leaving the convicts in idleness and a burthen to the State, the contractors in our Penitentiary are increasing their business, giving employment to the convicts, and turning out tools that will compare favorably with those manufactured in any similar institution.

But little more than two years ago, during the term of my predecessor, the shops and every building in the yard belonging to the State, were set on fire by the convicts and burned to the ground, involving a heavy loss to the State, and one equally severe to the contractors, who lost nearly all their machinery, and a large amount of finished and unfinished work in the conflagration.

From facts which have come to my knowledge since I assumed the duties of my office, I am assured that this misfortune might have been avoided, had the rules, regulations, and discipline of the Prison been enforced, and proper care exercised on the part of the officers. Under these circumstances, I think the contractors are entitled to some remuneration for the loss they have sustained.

My predecessor, I believe, has made no mention of this fire in his report, and I therefore thought proper to allude to it in this connection.

Although I confidently look forward to the time when this institution will pay its own expenses, yet for the present it must be supported in part by appropriations from the State Treasury; and in order that the expenses shall be as low as possible, it is necessary that the appropriations be made in advance. I can thus avoid the burthen-

some debts, payments of interest and discount, and buy the supplies at a much lower figure than at present.

My official report closes with the 30th of September, 1857. But for the purpose of giving a better insight into the condition of the Prison at this present time of writing, I will state that during the months of October and November, we have received sixteen prisoners, while seven have been discharged during the same time, leaving fifty-six in confinement on the first of December.

The attention of your honorable body is most respectfully invited to this fact, in order that accommodations may be provided suitable for the security and health of the large number of prisoners that will be in confinement here before another session of the legislature.

In conclusion I wish to express my acknowledgement to the Inspectors, and all the officers connected with the institution, for the good feeling which they have uniformly manifested during our connection, and for their hearty and efficient co-operation in all measures necessary for the best interests of the institution.

The following tables will show the total receipts and disbursements from the first of May to September 30th, 1857:

RECEIPTS FROM ALL SOURCES.

Received for appropriation for wall and cells,	-	\$21,000 00
“ “ “ salaries,	- -	425 00
“ “ convict labor,	- - -	1,146 75
“ of U. S. for boarding convicts,	- -	182 50
“ of convicts' deposits,	- - -	55 10
“ of Visitors' Fund,	- - -	12 00
“ interest on State Warrants,	- -	242 08

Total,	- - - - -	\$23,063 43
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There has been paid out in cash during the same time as follows—

Building and repairs, including wall and cells,	- - - - -	\$9,927 78
Discount on State Warrants,	-	150 00
General support,	- - - - -	2,827 72
Total,	- - - - -	12,905 50

Leaving in the Treasury Sept. 30th,	- -	\$10,157 93
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For the receipts and disbursements for the whole fiscal year, including the seven months of my predecessor's term, see report of the Inspectors..

The general expense of each department of the institution from May 1st to Sept. 30th, has been as follows :

Building and repairs, including wall and cells,	-	\$12,878 17
Salaries,	- - - - -	1,816 97
Provisions,	- - - - -	823 81
Lights and fuel	- - - - -	351 03
Clothing and Bedding,	- - - - -	314 64
Discharged convicts,	- - - - -	73 90
Hospital,	- - - - -	55 54
Clerk's Office,	- - - - -	62 65
Arms and ammunition,	- - - - -	15 25
Library,	- - - - -	78 63
Convict's Kitchen.	- - - - -	14 00
Cell room,	- - - - -	17 90
Miscellanies,	- - - - -	271 76
Total Expense,		\$16,774 25

TABLE SHOWING THE NUMBER OF DAYS' WORK ON CONTRACT FOR EACH MONTH DURING THE SEVEN MONTHS OF MY PREDECESSOR.

October,	450 Days, at 35cts.,	- - -	\$157 50
November,	419 " "	- - -	146 65
December,	498 " "	- - -	174 56
January,	534 " "	- - -	186 90
February,	450 " "	- - -	157 50
March,	496 " "	- - -	173 86
April,	520 " "	- - -	182 12
Total,	3367 " "	- - -	\$1,179 09

TABLE SHOWING THE NUMBER OF DAYS' WORK ON CONTRACT, FROM MAY TO OCTOBER.

May,	557 Days, at 35 cts.,	- - -	\$195 00
June,	661½ " "	- - -	231 53
July,	723¼ " "	- - -	253 14
August,	627½ " "	- - -	219 63
September,	707 " "	- - -	247 45
Total,	3276¼ " "	- - -	\$1,146 75

TABLE SHOWING THE OCCUPATIONS OF THOSE IN CONFINEMENT, SEPTEMBER 30TH, 1857.

Physician,	-	-	-	-	-	-	-	1
Farmers,	-	-	-	-	-	-	-	14
Laborers,	-	-	-	-	-	-	-	12
Shoemaker,	-	-	-	-	-	-	-	1
Carpenters,	-	-	-	-	-	-	-	3
Merchants,	-	-	-	-	-	-	-	2
Machinist,	-	-	-	-	-	-	-	1
Brickmaker,	-	-	-	-	-	-	-	1
Butcher,	-	-	-	-	-	-	-	1
Tailors,	-	-	-	-	-	-	-	2
Painter,	-	-	-	-	-	-	-	1
Blacksmiths,	-	-	-	-	-	-	-	2
Cook,	-	-	-	-	-	-	-	1
Confectioner,	-	-	-	-	-	-	-	1
Circus Rider,	-	-	-	-	-	-	-	1
Clerks,	-	-	-	-	-	-	-	2
Males,	-	-	-	-	-	-	-	46
Females,	-	-	-	-	-	-	-	1
Total,	-	-	-	-	-	-	-	47

TABLE SHOWING THE CRIMES OF THOSE NOW IN CONFINEMENT, SEPTEMBER 30TH, 1857.

Murder,	-	-	-	-	-	-	-	2
“ in the second degree,	-	-	-	-	-	-	-	6
Robbing U. S. Mail,	-	-	-	-	-	-	-	1
Assault with intent to commit rape,	-	-	-	-	-	-	-	2
Rape,	-	-	-	-	-	-	-	1
Larceny,	-	-	-	-	-	-	-	25
Attempt to poison,	-	-	-	-	-	-	-	2
Manslaughter,	-	-	-	-	-	-	-	1
Robbery,	-	-	-	-	-	-	-	1
Burglary,	-	-	-	-	-	-	-	1
Assault with intent to kill,	-	-	-	-	-	-	-	1
Obtaining money under false pretenses,	-	-	-	-	-	-	-	2
Forgery,	-	-	-	-	-	-	-	1
Concealing stolen property,	-	-	-	-	-	-	-	1
Total,	-	-	-	-	-	-	-	47

TABLE SHOWING COUNTIES SENT FROM.

Lee,	-	-	-	-	-	-	-	6
Pottawattamie,	-	-	-	-	-	-	-	1
Henry,	-	-	-	-	-	-	-	1
Dubuque,	-	-	-	-	-	-	-	4
Union,	-	-	-	-	-	-	-	1
Appanoose,	-	-	-	-	-	-	-	1
Linn,	-	-	-	-	-	-	-	2
Delaware,	-	-	-	-	-	-	-	1
Lucas,	-	-	-	-	-	-	-	1
Scott,	-	-	-	-	-	-	-	6
Davis,	-	-	-	-	-	-	-	2
Page,	-	-	-	-	-	-	-	1
Cedar,	-	-	-	-	-	-	-	1
Des Moines,	-	-	-	-	-	-	-	1
Clinton,	-	-	-	-	-	-	-	3
Mills,	-	-	-	-	-	-	-	1
Jackson,	-	-	-	-	-	-	-	3
Jefferson,	-	-	-	-	-	-	-	3
Buchanan,	-	-	-	-	-	-	-	2
Benton,	-	-	-	-	-	-	-	1
Johnson,	-	-	-	-	-	-	-	2
Keokuk,	-	-	-	-	-	-	-	1
Clayton,	-	-	-	-	-	-	-	1
Alamakee,	-	-	-	-	-	-	-	1
Total,	-	-	-	-	-	-	-	47

TABLE SHOWING THE NATIVITY OF CONVICTS NOW IN PRISON.

Ireland,	-	-	-	-	-	-	-	11
Scotland,	-	-	-	-	-	-	-	1
New York,	-	-	-	-	-	-	-	3
Ohio,	-	-	-	-	-	-	-	4
Germany,	-	-	-	-	-	-	-	2
Massachusetts,	-	-	-	-	-	-	-	2
Michigan,	-	-	-	-	-	-	-	1
Virginia,	-	-	-	-	-	-	-	3
Kentucky,	-	-	-	-	-	-	-	5
Maryland,	-	-	-	-	-	-	-	1
Canada East,	-	-	-	-	-	-	-	1
Pennsylvania,	-	-	-	-	-	-	-	5
England,	-	-	-	-	-	-	-	3

North Carolina,	-	-	-	-	-	-	-	1
Tennessee,	-	-	-	-	-	-	-	2
Missouri,	-	-	-	-	-	-	-	1
Connecticut,	-	-	-	-	-	-	-	1
								47

TABLE SHOWING THE TERM OF SENTENCE OF EACH CONVICT IN CONFINEMENT SEPTEMBER 30TH, 1857.

For the term of 1 year,	-	-	-	-	-	4
" " 1 year and 6 months,	-	-	-	-	-	1
" " 2 years,	-	-	-	-	-	10
" " 2 " and 6 months,	-	-	-	-	-	1
" " 3 " - - - - -	-	-	-	-	-	6
" " 4 " - - - - -	-	-	-	-	-	5
" " 5 " - - - - -	-	-	-	-	-	2
" " 5 " and 6 months,	-	-	-	-	-	1
" " 6 " - - - - -	-	-	-	-	-	1
" " 7 " - - - - -	-	-	-	-	-	1
" " 8 " - - - - -	-	-	-	-	-	2
" " 10 " - - - - -	-	-	-	-	-	6
" " 12 " - - - - -	-	-	-	-	-	1
" " 15 " - - - - -	-	-	-	-	-	1
" " 9 months,	-	-	-	-	-	1
" " 6 months,	-	-	-	-	-	1
" " Life,	-	-	-	-	-	3
						47

Approved this 2nd day of January, 1858, by the Board of Inspectors.

FRANCIS O. DORR,
P. H. BABCOCK,
GEORGE SHEDD.

DUTIES OF THE PRISONERS.

SECTION 1. They are to labor faithfully and dilligently, to obey all orders promptly, and to preserve unbroken silence.

SEC. 2. They are not to exchange a word with each other under any pretense, nor to communicate any intelligence to each other in writing—they are not to exchange looks, winks, laugh with each other, or make use of any signs, except such as are necessary to convey their wants to their Keepers.

SEC. 3. They must approach their Keepers in the most respectful manner and be brief in their communications. They are not to speak to them on ordinary topics nor address them except when it becomes necessary in relation to their work or wants.

SEC. 4. They are not at any time nor under any pretense, without leave, to speak to any person who does not belong to the Institution, nor receive from them any letter, paper, tobacco, or other thing whatever. They are not to leave the place where they are put to work, nor the work they are set to do, without the special permission or orders of the Officer in charge. They are not to suffer their attention to be taken from their work to look at visitors, nor are they to look at them when unemployed.

SEC. 5. No convict is wilfully or carelessly to injure his work, tools, wearing apparel, bedding or other thing belonging to or about the Prison; nor will any prisoner be suffered to mark, injure, or in any way deface the walls or any part of his cell or night room, nor is he to execute his work badly when he has the ability to do it well.

SEC. 6. No convict shall receive or transmit any letter or paper except under the inspection of the Warden, nor shall such convict hold any correspondence in or out of the Penitentiary, nor converse with any person except the Governor, Heads of Departments, members of the General Assembly, Judges of the Supreme and District Courts, and Officers of the Prison.

SEC. 7. Each prisoner, as far as practicable, shall occupy the same cell every night.

SEC. 8. If a prisoner becomes sick, or from any cause feels unable to work, he shall report himself immediately to the Officer under whose charge he may be, (who shall exercise his discretion in the case until he can report him to the Warden.)

SEC. 9. They shall always march in such order as may be designated by the Officer having them in charge.

SEC. 10. All unnecessary noise and talking is positively prohibited.

SEC. 11. Contents of chambers or cell buckets must be emptied in the privy. The privy, and no other place, must be used, when necessity requires it, by the prisoners in the yard.

SEC. 12. No prisoner shall be permitted to sleep with his clothes on—all shall preserve cleanliness in every respect, as far as lies in their power, and from April to October they are required to bathe and wash thoroughly their entire bodies *twice a week*, and once a week from October to April.

SEC. 13. No prisoner will be allowed to speak to the Warden, unless the Warden first speak to him, except to make necessary inquiries respecting his labor, when the Warden has the special direction and oversight of the same.

SEC. 14. Prisoners may at all times make known their complaints or grievances to the Warden, but never in the presence or hearing of a fellow prisoner. They shall have liberty also of speaking with the Inspectors or Inspector when present at the Prison, but always upon the above restricted condition.

SEC. 15. Any willful violation of any of the above Rules and Regulations by any convict will subject the offender to certain and severe punishment; and in all cases of solitary confinement for any offence, the term they are so confined will be added to the term of their sentence, and any resistance to the enforcement of discipline, or any attempt to escape by any prisoner, will subject him to the penalty of death.

SEC. 16. Any willful or unnecessary soiling, defacing, or otherwise injuring any book or books belonging to the Prison Library will be considered an offence, to be reported by the Librarian to the Warden, with the name of the offender.

SEC. 17. No prisoner shall be allowed to choose or change his work without the consent of the Contractor and Warden.

SEC. 18. Any convict who shall hereafter be guilty of escaping from this Penitentiary shall be presented to the Grand Jury for indictment for the offence, according to law, and it is hereby made the duty of the Warden and all other officers of the Penitentiary to present any such case or cases at the earliest opportunity.

SEC. 19. Any convict who shall hereafter *attempt* to escape from this Penitentiary, or who shall be convicted of plotting or planning an escape, or in whose cell, or about whose person, shall be found any instrument, or other means, designed for effecting or for aiding to effect an escape, or for doing any other unlawful act, or who shall be guilty of any gross misconduct not specified or forbidden in these Rules, shall be guilty of a misdemeanor, and shall be punished as provided in Sec. 15.

AN ACT PASSED BY THE GENERAL ASSEMBLY, JAN. 22, 1857.

SEC. 3. It shall be the duty of the Deputy Warden to keep a book in which shall be entered a record of every infraction of the published rules and discipline, with the name of the prisoner so guilty, which record shall be submitted to the Inspectors at each quarterly meeting, and every prisoner who shall have been sentenced for a term of years, who shall at the end of the month have no infraction of the discipline recorded against him, shall for the first month be entitled to a diminution of one day from the term he was sentenced to the Penitentiary, and if at the end of the second month no infraction of the rules is recorded against him, two additional days of diminution from the sentence, and if he shall continue to have no such record against him for the third month, his time shall be shortened three additional days, and if he shall so continue for the subsequent months, he shall be entitled to four days diminution of time from his sentence for each month he shall so continue his good behavior; and if any prisoner shall so pass the whole term of his service, or the remainder of his sentence after this act takes effect, (provided he shall have the time of one year yet to serve,) he shall be entitled to a certificate thereof from the Warden; and upon the presentation thereof to the Governor, he shall be entitled to a restoration of the rights of citizenship, which may have been forfeited by his conviction, and it shall be the duty of the Warden to discharge such convict from the Penitentiary when he shall have served the time of his service less the number of days he may have been entitled to have deducted therefrom, in the same manner, and as if no such deduction had been made, provided that if such convict shall not be guilty of a violation of the printed and published rules of the prison, after he shall, as provided in this section, have become entitled to a diminution of his time of service to which he has been sentenced, the Inspectors shall have the power to deprive, at their discretion, such convict of a portion or all (according to the flagrance of the violation of discipline) of the diminution of the term of sentence to which he had been previously entitled by this act.

SAMUEL MCFARLAND,

Speaker of the House of Representatives.

W. W. HAMILTON, President of the Senate.

Approved January 22, 1857.

JAMES W. GRIMES.

Office of Secretary of State,

Iowa City, January 31st, 1857.

I hereby certify the foregoing to be a true copy from the original roll on file in my office.

ELIJAH SELLS,

Secretary of State.

P. INSKEEP, Warden.

J. H. LITTLE,

CHAS. BREWSTER,

GEORGE SHEDD,

} INSPECTORS.

Fort Madison, Iowa, July 4th, 1857.

R E P O R T
OF THE
COMMISSIONER
OF THE
DES MOINES RIVER IMPROVEMENT,
FOR THE YEAR PAST.

REPORT.

KEOSAUQUA, *January 1st, 1858.*

His Excellency, JAMES W. GRIMES,
Governor of Iowa:

SIR—In compliance with law, the undersigned submits the following report of the condition and affairs of the Des Moines River Improvement up to December 1st, 1857:

The total amount of expenditures by the Des Moines Navigation and Railroad Company, as claimed by them, up to December 1st, 1856, and which will appear by my former report of January 1st, 1857, embracing moneys advanced for partial payment of old improvement indebtedness, is.....\$366,711 26

Upon which sum the said Company claim to have received and credited the State with 205,489.23 acres of land, at \$1,25 per acre, amounting to the sum of..... 256,861 53

\$109,849 73

Showing a balance claimed by said Company against the Improvement of one hundred and nine thousand eight hundred and forty-nine dollars and seventy-three cents, together with such percentage as is provided in their contract with the State, of 9th of June, 1854.

Said balance above named would be augmented by adding per cent claimed, to about the sum of \$115,000; which sum they alleged as due and unpaid against the Improvement, at the date of December 1st, 1856.

Under the adjustment of December 24th, 1856, between the Commissioner and the Company, as will appear by my former report, the entire balance before mentioned was abated and placed in such a contingent form, so that no part of the same is now or can

hereafter be claimed of the State, until one-fourth part of the improvement is completed and made available for navigation, &c.

This adjustment with said Company was regarded by the Commissioner as having ascertained and fixed the amount then expended by said Company on the Improvement under their contract with the State; but said adjustment did not contemplate that the legal title to lands previously certified to said Company by the Register of said Improvement, should pass to said Company, or in anywise be affected thereby.

The amount therefore admitted as expended for debts, liabilities, Improvement engineering, &c, up to December 1st, 1856, by said Company upon said Improvement, &c., is.....\$256,861 53

To which sum is to be added the amount expended
since Dec. 1, 1856, and up to Dec. 1, 1857, (said
amount is reported by the acting engineer, as
will appear herewith in exhibit marked "B,")
say,.....\$77,193 70

Less 15 per cent. reserved by the State

till final completion,..... 11,599 05 65,594 65

\$322,456 18

The statements above show that the aggregate amount, and all that can be claimed to have been advanced and expended by said Des Moines Navigation and Railroad Company, for and upon said Improvement, since their commencement to December 1st, 1857, cannot exceed the sum of \$322,456 18.

In the agreement and adjustment between the Company and the Commissioner, of the 24th of December, 1856, the following language is used in Sec. 1, "It is agreed, and the said party of the first part does hereby covenant and undertake to prosecute said work from the mouth of the river, in a continuous line of navigation from the mouth of said river upwards, under the supervision of the Commissioner of said Improvement, and it is expressly understood and agreed, *that no work shall be done* that shall not contemplate the making of such continuous line of navigation, except with the *written and positive consent* of said Commissioner."

The Commissioner gave the Company and Engineer notice that any work not prosecuted in accordance with said agreement, would not be entitled to estimates till the navigation was completed to such points where the work was prosecuted. The

following amounts of work have been estimated and certified by the acting engineer since said agreement was made, which the Commissioner regards as improper, and not due the Company from the State, till the written and positive consent of the Commissioner is obtained, as provided in said agreement of December 24, 1856:

Total expenditures brought forward, ... \$322,456 18

Estimates rejected by Commissioner as follows, viz:

Work estimated at White Breast, ...	\$2,703 50	
“ “ “ Amsterdam, ...	547 00	
“ “ “ Iowaville, ...	7,805 62	
“ “ “ Orville, ...	7,860 53	
“ “ “ Litchfield, ...	1,047 30	19,963 95
		\$302,492 23

The following amounts are estimated for repairs:

At Croton, ...	\$2,169 40	
At Bentonsport, ...	4,042 22	6,211 62

which sums if improper under the contract of June 9th, 1854, would reduce expenditures above claimed to..... \$296,280 61

The following items rejected by Commissioner as improper in Engineer's estimate, December 1st, 1857, to-wit:

Expenses and supplies of Dredge Boat, ..\$	704 66	
Lock repairs, ...	126 02	
Removing obstructions at Pittsburg, for which the Company are liable to pay damages for having put in, ...	35 70	
20 per cent on amount deducted above, ..	5,408 39	6,274 77
		\$290,005 84

Furthermore, I have reason to believe excessive estimates have heretofore been made for lock foundations, etc., which will approximate the sum of.....\$10,000 00

Loss of work and materials at the Keosauqua work estimated by Commissioner, ...	10,000 00	20,000 00
		\$270,005 84

A word of explanation may be necessary as to the abatement before made for losses sustained by the State at the Keosauqua work. It will be seen by exhibit herewith, marked "B," that the sum of \$15,961 64 has been estimated for work the last year at that point, and various estimates before. The present condition of the entire work at this point is but little further advanced than it was at the time the Company received it from Messrs. Bonney & Whittlesey, the original contractors, who were bound to complete the work in two years.

The Commissioner is of the opinion, therefore, that the foregoing exhibit approximates and shows all the expenditures of the Des Moines Navigation and Railroad Company, that can be regarded as proper and legitimate, under the contracts between the Company and the State, from their commencement up to Dec. 1st, 1857, say.....\$270,005 84

For the above the Company have received certificates for 205,489.23 acres of land; also they hold a requisition on the Register, now in dispute, for 24,000 acres, which estimated at \$1,25 per acre, is..... 286,861 53

\$16,855 69

Showing a balance in favor of the State, if said 24,000 acres were certified to said Company, of \$16,855 69. The Commissioner therefore believes that said requisition, made August 6th, 1857, was without good and sufficient considerations, and that the same may be held to be void until said Company are deemed to have complied with their contracts with the State.

I will now submit my statement on expenditures still further.

The foregoing exhibit shows the amount claimed to have been expended by the Des Moines Navigation and Railroad Company from December 1st, 1856, to December 1st, 1857, say...\$77,192 70

Less 15 per cent. reserved under contract,..... 11,599 05

\$65,594 65

The following items embraced in above are rejected by the Commissioner as improper estimates and excluded at this time under the agreement of December 24, 1856, viz:

Work at White Breast,.....\$2,703 50

" Amsterdam,.....	547 00
" Iowaville, ...	7,805 62
" Orville, ...	7,860 53
" Litchfield,.....	1,047 30

\$19,963 95

Doubtful Claims—

Repairs at Croton and Bentonsport,...	6,211 62	
Expenses and supplies on Dredge Boat,	704 66	
Lock repairs at Croton and Bonaparte,.	126 02	
Removing obstructions at Pittsburg,..	35 70	
Twenty per cent on above,.....	5,408 39	32,450 34

\$33,144 31

The true balance or sum proper to be estimated to the said Company for expenditures on the Improvement from December 1, 1856, to December 1, 1857, under the adjustment and agreement of December 24, 1856, is above shown to be thirty three thousand one hundred and forty-four dollars and thirty-one cents; making a discrepancy (in favor of the State) in the amount claimed by the Company (see exhibit "B") of \$44,048 39.

I will now submit such other facts as are regarded important at this juncture of the affairs of the Improvement.

Subsequent to the adjustment of December 24th, 1856, before mentioned, to-wit, January 29th, 1857, the Legislature passed an act authorizing and requiring the Commissioner and Assistant Commissioner, therein provided for, to proceed to settle and adjust all matters relating to the affairs of the Des Moines Improvement, &c., &c. Accordingly, on the — day of March, the Commissioner, in conjunction with the Assistant Commissioner, James F. Wilson, Esq., in obedience to the law before referred to, did proceed to discharge the duties therein contemplated, by meeting the Agents of the Des Moines Navigation and Railroad Company at Burlington, Iowa, agreeably to appointment, and did there endeavor to negotiate and arrange a settlement with said Company, with a view to a further and early progress of the Improvement.

After two ineffectual trials to adjust the difficulties between the State and the Company, the said Des Moines Navigation and Railroad Company elected and concluded to determine their rights and the validity of their contracts with the State, through a judicial proceeding. A suit was therefore instituted against the Com-

missioner in the District Court of Des Moines County, Iowa, claiming and asking a writ of mandamus, requiring the Commissioner to transfer and convey to the said Company over eighty-nine thousand acres of land.

To this application for a mandamus a demurrer was filed on the part of the Commissioner, which raised the question as to the validity of the several contracts between the State and the Company, and also assigning that the application for a mandamus did not show such a compliance with their contracts upon the part of the Company as entitled them to a specific performance on the part of the State. The cause was taken to the Supreme Court of the State by appeal. The Supreme Court held that the contracts of the 9th and 29th of June, 1854, were valid, and that the act of the General Assembly of the State, approved January 29th, 1857, so far as it was based upon the hypothesis that no valid contracts existed, was of no effect. The supplemental contracts of September 27th and December 25th, 1855, were held to be void.

The adjustment of December 29th, 1856, in so far as the same was a settlement by and between the Commissioner and the Company, was sustained.

The Supreme Court dismissed the application for a writ of mandamus, for the reason, among others, that it did not show such a compliance upon the part of the Company with their contracts as entitled them to a specific performance upon the part of the State; and the Company not choosing to amend their application and risk an issue of fact with the State upon the question of their performance, the litigation was ended.

The Commissioner employed in behalf of the State, the Hon. R. P. Lowe and C. C. Nourse, Esqrs., who conducted the cause with signal ability, maintained the rights of the State, and defeated the claim for a mandamus, as well as the claim for salaries, office expenses, &c.

In order to a more satisfactory knowledge of the case, I herewith annex a brief of the cause. (See exhibit marked "A.")

Immediately following the decision obtained in said cause, which was hastened and prosecuted with commendable zeal by the counsel in the case, in order, if possible, to afford and fix a basis that would enable the parties to readjust differences, whereby the Improvement should be more vigorously prosecuted. The Agents of the Company and the Commissioner met on the 5th of August,

1857, and the Company proposed a more vigorous prosecution of the work than previously had been done, and furthermore agreed to prosecute and complete such locks and dams as the Commissioner should direct, and such as were in an unfinished condition.

In order, therefore, to afford the desired aid and facilitate the progress of the Improvement to the greatest practicable extent, the Commissioner at once consented to stipulate terms with the Agents of the Company, whereby the work should be resumed and vigorously prosecuted under the contract of 9th June, 1854; and inasmuch as the Supreme Court had decided that said instrument was valid and subsisting between the State and Company, (vide exhibit marked "A,") an agreement of which the following is a copy, was thereupon made.

[COPY.]

"Memorandum of an Agreement made the 5th day of August, 1857, between the Commissioner of the Des Moines River Improvement of the first part, and the Des Moines Navigation and Railroad Company, of the second part, *Witnesseth*: That in consideration that said party of the second part shall immediately put under contract to responsible contractors, the work at Croton, Plymouth, Bentonsport and Keosauqua, the said party of the first part, agrees to and now does make to the said party of the second part, a certificate for thirty thousand dollars' worth of land, at the rate of \$1,25 per acre, for estimates due said party of the second part, on work up to August 1, 1857; said certificate for said lands to be placed in the hands of Guy Wells, Chief Engineer of said work, to be held by him until the work is vigorously commenced at all of said points, and the prosecution of the same is secured, in the opinion of said Wells, to a like amount of thirty thousand dollars, and then the said certificate shall be subject to the order of said Company. It is also agreed that the sub-contractors shall be fully paid by the Company for work heretofore done as estimated.

"This adjustment not to be considered as an agreement superseding or in anywise changing or affecting any former contract in force between the parties.

(Signed),

E. MANNING,

Com. Des Moines River Improvement.

O. CLARK,

Vice President D. N. & R. R. Co.

Although the work was commenced in mode and manner agreed upon, the same was not vigorously prosecuted except at one point: The Contractor at Keosauqua lock and dam has prosecuted the work with vigor and dispatch. At the other points, however, the work was partially countermanded by the Agent of the Company, very soon after its commencement, and before the \$30,000 was expended, as provided in last agreement, thereby defeating the spirit and intention of said agreement of August 5th, 1857, upon which the Company now demand 24,000 acres land. If this was the only ground of defence, I should not rely upon it as sufficient to ground a controversy upon.

But there are other reasons more grave and weighty, and more vital to the "Improvement" than any questions heretofore raised on the contract between the Company and the State. At the date of said agreement, to-wit, August 5th, 1857, between the Company and the Commissioners, and immediately previous thereto, the Agent of the Company, General Clark, proposed as a basis for the future prosecution of the work, and mutual understanding between the State and the Company, and in order to reconcile conflicting interpretations of the contract of the 9th June, 1854, that they, the D. N. & R. R. Co., would secure the expenditure to the State, the full sum stipulated for in the contract (to-wit) \$1300,000 as soon and whenever the aid of the State was rendered to obtain the balance of the lands upon the "Grant" from the General Government. The same proposition and construction given to said contract has often been made by the Agent of the Company, and he has furthermore persistently contended that said Company would expend upon said Improvement between two and three millions of money.

The agreement, therefore, of the Agent of said Company to satisfactorily arrange to expend the said sum of \$1300,000 for the lands of the grant without regard to their limit, at and before the making of the said requisition of August 5th, 1857, was a consideration with the Commissioners that entered into and caused in part said certificate for 24,000 acres land to be made; and now inasmuch as said promises to do and perform as aforesaid have been utterly and, as the Commissioner believes, intentionally violated by said Company, the said requisition in question, for this, amongst other reasons, has been countermanded. In justification of my interpretation of the law, and the contracts on the subject, vide the law authorizing the Commissioner and assistants to contract said Im-

provement, Acts 1852-3, Chap. 103, page 162—"That the said Commissioners and Assistants in contracting for means to carry on said Improvement, shall not make any contract or agreement with any Company or individual under the provisions of this Act, or any laws now in force or which may be in force at the time of making said contract or agreement, unless such contract or agreement stipulates for at least thirteen hundred thousand dollars, to be faithfully expended in the payment of debts and liabilities of said Improvement, and to the completion thereof to the greatest extent practicable." The following is Section 8 in contract between the State and D. N. & R. R. Co., June 9, 1854:

"The said party of the second part (the State of Iowa) on their part hereby covenant and agree with the said party of the first part (D. N. & R. R. Co.) to sell and convey to the said party of the first part, in manner and upon the terms hereinafter provided, all of the lands donated to the State of Iowa for the Improvement of the Des Moines River, by act of Congress of August 8th, 1846, which the said party of the second part had not sold up to the 23d day of December, 1853, for which said lands the said party of the first part covenants and agrees in manner and form as fixed by this agreement, to pay the sum of thirteen hundred thousand dollars."

Now, here is the language of the law, authorizing the contract, and a Section of the contract itself, wherein the consideration is plainly stipulated and expressed

The Company have agreed to pay and the State have agreed to take \$1300,000 for the lands, &c. The sum is fixed for the aggregate, the contract don't call for or contemplate any given or certain quantity of land, but is definite in other respects, insomuch that the Company get all that belongs to the grant after the date specified.

Now, the D. N. & R. R. Co. repudiate and decline to pay the sum agreed upon for said "Grant," and this refusal has just been announced by the Company, and their policy disclosed. The fact is no longer disguised that the said Company now utterly refuse to acknowledge any liability whatever to the State to pay more than \$1.25 per acre for the land of the Grant, and if the same exceed a certain amount, then they will or will not, as they please to elect.

This question now is the great cause of embarrassment.

The Commissioner attended a meeting of the Company in New York City in September last, at which time an agent was authorized

by the Company to visit Washington and to act in conjunction with the Commissioners in such measures as were found necessary to obtain the balance of the lands from the General Government.

General O. Clark, as agent for the Company, and the Commissioner, visited the proper Department at Washington, and found the case to rest upon Attorney General Cushing's opinion of May, 1856.

This opinion limits the Grant to the North line of the State, and imposes conditions upon the State and its assignees, to-wit: If the lands are accepted under his decision; then the State, as well as the Company, shall execute relinquishments to the General Government against any further claims for lands under said act. The present incumbent of the "Interior Department," (Hon. Jacob Thompson) proposes to carry out the *verdict* of "Cushing" if the State and the Company accept it and conform to its provisions, and make relinquishments as therein required, or if either party, the State or the Company, elect to reject Mr. C.'s opinion, then the case will be open for a new hearing before the Officer of that Department.

The language of Mr. Thompson on the subject is pertinent and to the point. He says that if a fair interpretation of the act extends the Grant to the sources of the River, the State will be entitled and shall have it; but not otherwise.

Upon this announcement the Commissioner proposed to the agent of the Company to co-operate with the Company, and either accept or reject the "Cushing" opinion, leaving the Company to elect which course to adopt.

At this juncture of our proceedings the Agent of the Company, (General Clark) required the Commissioner to accept the lands, and the interpretation of the Act as provided in Attorney General Cushing's opinion rendered in the case, and that upon the condition that the Commissioner or the State would release the D. N. & R. R. Co. upon their contract of 9th June, 1854, pro-rata and to the same extent that the State and the Company are required to relinquish to the General Government under Cushing's opinion, then upon that condition the Company would co-operate with the State, but upon no other or better terms.

This proposition was rejected by the Commissioner as not intended or contemplated in the contracts between the Company and the State, and thus the case now stands.

The Agent of the Company makes it an alternative that hence-

forth the State must admit the Company's interpretations of the contract of 9th June, 1854, and for every \$30,000 expended on the same they shall have lands for at \$1.25 per acre, without regard to whether the lands thus required will yield the State in the aggregate the sum of \$1300,000, as stipulated, (and which is the paramount object and consideration of said contract) or not.

The Company's constructions of said contract, in connection with their requirements of the State to accept the lands of the "Grant" to the State line, and furthermore the release they demand of the State, involves a question of at least \$400,000 importance to the State, and is, in the opinion of the Commissioners, the gravest and most vital question that has ever arisen between the D. N. & R. R. Co. and the State. In view of the fact the lands heretofore certified to the State are nearly exhausted, there being but 60,000 acres) and the further fact that the State and the Company have entirely failed to co-operate in any proper measures whereby the balance of the lands belonging to the Grant can be properly secured to the State and the progress of the Improvement in like manner secured.

Your Commissioner regards that these facts justify the conclusion that a crisis has already reached the affairs of the Company and the State, as connected with the Improvement, that warrant and justify the course adopted by the Commissioner, in order that the rights of the State may be thereby protected.

I will now submit a brief view of the work in progress, and the condition and extent it has attained under the auspices and conduct of the D. N. & R. R. Co. the past three and a half years; and for a more detailed history of the same in part I will refer to my former Report of January 7th, 1857.

The work at present at "Croton," is restoring and repairing. The Dam was heretofore constructed by the Company, and for which the Company have been fully estimated in the adjustment of Dec. 24th, 1856.

The Commissioner regards that the present expenditures in alterations and repairs cannot be legitimately estimated to said Company under the contract of 9th June, 1854.

The work at Bentonsport is also work of restoring and repairs. But it must be borne in mind that this work was constructed by the State prior to the contract with said Company, and the Dam has always been regarded a poor work, owing to bad materials and the temporary manner of its construction.

A question therefore may reasonably arise whether the Company should not be entitled to estimates for restoring and repairing this work.

The work at Keosauqua, I am gratified to report as having changed hands, and is now in possession of a reliable and vigorous sub-contractor, who has prosecuted the work the past three months with energy and dispatch.

The Lock walls are now ready for the Gates. If the high water does not prevent finishing the Gates, it is confidently expected to have the Lock in working order by the opening of navigation in the Spring.

The work at the points above Keosauqua has been suspended by the Company for several months. The amount of work performed at the different locations the past year, will be shown by Exhibit marked B.

Your Commissioner would furthermore report:

That a question of much importance has recently arisen between the Commissioners, Register and the Company, in respect to the act of your Commissioner in countermanding an order or requisition for 24,000 acres land, of date August 6th, 1857. In order that this question should be clearly understood, and in justice to the State, the Company and myself, it is proper the facts and the circumstances connected therewith, and which are relied upon for justification and defence, should be shown. Therefore I submit as follows:

1. The Company failed to prosecute the work as agreed.
2. The Company had not paid their Sub-Contractors as agreed, which was a precedent condition.
3. The Company had not performed \$30,000 additional work, stipulated for.
4. The Company claim estimates for repairs and restoring work which I reject.
5. The Company neglect and refuse to vest the *title to Rights of Way and Water Power* in the name of the State of Iowa, which is a violation of a covenant of their contract.
6. I have good reason for believing the Sub-Contractors have not been fully paid estimates for work claimed and performed since August 1st, 1857.
7. The Company have failed to perform their covenant to State, and to pay old liabilities of the Improvement.

8. I believe the State is entitled to reclamation for excessive estimates on Lock Foundations, &c., provided for in my adjustment of December 24th, 1856, say to the amount of \$10,000 or \$12,000.

9. The Agent of the Company threatened the Commissioner with a suspension of the work, if he (the Commissioner) would not release the Company and make new stipulations on their contract.

10. The acts of the Company have satisfied the Commissioner that the Improvement will not progress or be performed as the State requires under the contract of June 9th, 1854.

The reasons before named are regarded by the Commissioner as sufficient for recalling the order made August 6th, 1857, for 24,000 acres land, but other and greater reasons may be assigned. It is now about three and a half years since the D. N. & R. R. Co. commenced their contract upon the Improvement, and up to the present time it is a melancholy fact that said Company claim to have expended nearly a half million of dollars, and with this immense expenditure claimed by them, there is not a single Lock or Dam completed by them upon the work.

Furthermore, the condition in the contract to complete one-fourth part of said Improvement each and every year, has entirely failed, and under this covenant of the Company, if the State may claim damages, the entire amount expended by the Company would be absorbed and offsetted in damages arising from non-compliance.

In other respects the said Company are equally in default, inso-much that the Navigation of the River has been unnecessarily obstructed by means of improper and unnecessary materials put into the channel of said River at Pittsburgh, clearly in violation of their contract, and which have caused great losses to Boatmen and Shippers, in consequence of detention, storage, extra freights, &c.

These failures, defaults and non-compliances on the part of said Company, must be regarded as the result of an ill-advised policy, in part at least, in the commencing as well as progressing of said work. Now, if these facts and conclusions are maintained, and it is shown that the State is not in default or chargeable with wrongs against the Company, how can the Company seek and enforce the State to perform its covenants before the considerations and stipulations are first performed by themselves?

The paramount object of the Government and of the State, and of the contract between the parties, was to Improve the Navigation of the River Des Moines, to the extent stipulated for.

Now how does this proposition stand, and have the D. N. & R. R. Co. made any Improvement whatever in the *Navigation* of said River? The answer must be emphatically No.

Have the said Company prosecuted the Improvement of said River according to mode and manner stipulated for in their contracts?

Answer—They certainly have not.

Have the Company virtually repudiated and denied their obligation to expend \$1300,000 for the lands of the “Grant,” Tolls and Rents?

Answer—Most emphatically they have.

With these views before us, it is quite manifest that the affairs of the State and the Company, as connected with the Improvement, are extremely complicated and embarrassing.

The necessity, therefore, for prompt and early measures to be taken to adjust and compromise, if possible, all matters in variance with the D. N. & R. R. Co., and in failure thereof a resort to Judicial proceedings will be inevitable to maintain the rights of the State.

It is now of the most vital importance that a wise and just policy be adopted, and the works from St. Francisville to Keosauqua be completed the ensuing season. The materials on hand at points above Keosauqua, it is believed, can be transferred to points below, so as to aid and materially facilitate the completion of said works, and at the same time save the materials from loss. The works are now so far advanced between these points, that it would be an intolerable abuse of the means appropriated to this object, if they were not at once speedily used to complete this part of the line of Improvement.

The D. N. & R. R. Co. have notified some, if not all their Sub-Contractors, to suspend work upon the Improvement. The Commissioner has been informed through the Acting Engineer of the work, that said Company are ready and now invite propositions from the State for compromise and settlement.

The necessity now is apparent and manifest that an early adjustment of affairs between said Company and the State is of the first importance.

It is likewise equally important and necessary that immediate steps be taken to secure and definitely settle with the General Government, as to the extent of and the quantity of land the State is entitled to receive under the Grant of August 8th, 1846.

This question, so far as the opinions of eminent jurists have been

obtained, may be considered as settled in favor of the claims of the State.

The proper Department at Washington now desires the State to act in the premises, and either accept or reject Attorney General Cushing's opinion pronounced in the case, and thereupon have the question determined.

I shall therefore recommend to your consideration the appointment of a Commissioner with full power to settle and conclude all matters in variance, or prosecute the same to final settlement with the D. N. & R. R. Company, as well as any and all other settlements now pending and connected with the Des Moines River Improvement.

I would furthermore recommend that said Commissioner or Agent should be fully authorized and empowered to effect and conclude a final settlement with the General Government, in the matter of the Des Moines River Grant of August 8th, 1846.

I would furthermore report:

That the sub-contractors upon the line of the Improvement have received official notice by order of the Company to suspend work upon their several jobs until further notice. The work of repairs commenced at Croton are left in an unfinished and dangerous condition, so much so that the proprietors of the Mills and power at that point report that they are in imminent danger of a great sacrifice, if these repairs are not immediately prosecuted to completion.

The expenditure necessary to this object is estimated at from four to five thousand dollars.

The work at Keosauqua is also left in a situation that still obstructs the navigation of the river. The Lock walls are nearly completed, and sufficiently so to receive the Gates and machinery necessary to operate the same and render the Navigation free from obstruction at that point.

The upper portion of the Valley has heretofore been greatly injured by means of this obstruction, and the immediate completion of the work is the only remedy that will insure and obviate this evil, that is now so generally felt throughout the Valley.

The old liabilities of the improvement, which the D. N. & R. R. Co. have failed to liquidate, are now being pressed upon the Commissioner for payment, or suitable provision therefor.

The following claims are especially urged, to-wit:

Caleb O. Halstead reports himself holding thirteen

Bonds of \$500 each.....	\$6,500
Thirteen coupons, \$40 each, due Nov. 1st, 1857,...	\$520
Bangs Bro.'s & Co., alleged claims against the Improvement	\$14,000.00

Which if not paid or provided for, they notify the Commissioner that suits will be instituted therefor.

In order to give an approximating understanding, of the amount necessary to complete the works from St. Francisville to Keosauqua, I submit the following estimate, predicated upon a judicious expenditure, as a probable amount required, to-wit:

At St. Francisville, say.....	\$40,000.00
Less amount expended.....	\$6,115.04—\$33,884.96
At Belfast.....	\$40,000.00
Less amount expended.....	\$15,923.03—\$24,076.97
At Croton Repairs.....	\$4000.00
At Plymouth from \$15,000 to.....	\$20,000.00
At Bentonsport Repairs.....	\$10,000.00
At Keosauqua, including channel below Lock.....	\$20,000.00
Amount brought forward.....	\$111,961.93
To which add above indebtedness...	\$21,020.00
Total and required to complete works before mentioned and pay indebtedness.....	\$132,981.93

From the foregoing data your Commissioner believes immediate provisions are called for to meet the emergencies as stated.

The lands undisposed of heretofore certified to the State, after deducting lands certified by Commissioners to the D. N. & R. R. Co., as reported by the Register, is 61,527 78-100 acres, out of which may be deducted a certificate in dispute of 24,000 acres. Leaving.....37,527 78-100 acres.

At present unencumbered, to which may be added lands not yet certified by the Department at Washington, and which are decided as due the State by Attorney Gen'l Cushing, to the North line of the State... 300,000 acres.
To which may be added the amount of lands due the State under the "Grant" as claimed to the sources of the River, estimated at 400,000 acres.

Making a total of.....737,527 78-100 acres

Amount of lands certified to the D. N. & R.

R. Co.....205,489 64-100 acres
Certificate or requisition dated August 6th,

1857. *In dispute*.....24,000 acres

Making a total of lands belonging to the Grant

of August 8th, 1846.....967,017 42-100 acres

Against the above the D. N. & R. R. Co. have

expended upon the Improvement about.....\$270,000.00

Old liabilities against the Improvement remain-

ing unpaid, say.....\$21,020.00

\$291,020.00

All of which is respectfully submitted.

EDWIN MANNING,

Com. D. M. R. Improvement.

Office of Com. D. R. Imp't,
Keosauqua, January 1st, 1858.

*A Schedule of Work furnished by Guy Wells, Acting Engineer
Des Moines River Improvement. (Copy.)*

Amount of work done on the Des Moines River Improvement,
from December 1st, 1856, to December 1st, 1857, at the following
named points, viz:

St. Francisville,.....	\$ 449 16
Belfast, ...	1,235 00
Croton,.....	2,169 40
Plymouth, ...	17,372 01
Benton's Port,.....	4,042 22
Keosauqua,.....	15,961 64
Litchfield,.....	1,047 30
Orville,.....	7,860 58
Iowaville,.....	7,805 62
Amsterdam,.....	547 00
White Breast,.....	2,703 50

\$61,193 38

Deduct timber brought from above that

had been previously estimated,.....\$1,510 18

Amount previously estimated,.....847 50 2,357 68

\$58,885 70

Engineering, ...	4,625 00
Lock repairs at Croton and Bonaparte, ...	126 02
Expenses and supplies of dredging boat, ...	704 68
Endeavoring to remove obstructions at Pittsburg, ..	35 70
	\$64,327 08
Add 20 per cent., ...	12,865 62
	\$77,192 70
Deduct certificate of August 6, 1857, ...	30,000 00
Exhibit B.	\$47,192 70

The State of Iowa, on the
relations of Wm. C. Johnson,
President, &c..

vs.

The Commissioner of the
Des Moines River Im-
provement.

SUPREME COURT, June Term, 1857.

Points presented by the demurrer to the petition suggested in
argument and decided by the Court.

1st. Is the contract of June 9th, 1854, valid and subsisting?

We are of the opinion that the contract does not violate, and was
not made in contravention of the act of Congress making the grant.

STOCKTON, J., *contra*.

We are of opinion that the acts of June 19 and January 24, 1853,
Laws of 1853, pages 62 and 162, do not dispense with the argument
of the prior statutes, that the Governor should approve any contract
made thereunder.

WOODWARD, J., *contra*.

We further conclude, however, that the necessity of approval
has been waived by the repeated and express action of the Execu-
tive and Legislative department of the Government; that by the
action of these departments, a construction and validity has been
given to said contracts, which the State is now estopped from de-
nying.

STOCKTON, J., *contra*.

Exhibit A.

The said contract does conform satisfactorily and even techni-
cally with the requirements of the acts of the Legislature under
which it was made.

STOCKTON, J., *contra*.

It is therefore concluded, on the first proposition, that the said
contract of June 9, 1854, is valid and subsisting.

STOCKTON, J., *contra*.

2nd. Are the supplemental contracts of June 9 and June 29, 1854, September 27 and December 5, 1855, valid and subsisting between the parties?

It is objected that the duties of Assistant Commissioners ceased after the original contract was made, and that therefore these supplemental contracts should have been made with the *Commissioner* and Assistant; then the three should have united and concurred; and a majority could not act or contract.

We conclude that so much of section 4 of the act of January 24, 1853, as provides that the duties of said Assistant Commissioners shall not extend any further than to aid such Commissioner in negotiating such contracts or agreements as in said act are contemplated, was not intended to inhibit them from taking part in any negotiations that might become necessary to carry out the contract made, or to accomplish the general object and purpose of said act, in disposing of the lands and work, and securing the improvement, but was intended to provide that their duties should not extend to the others and various matters devolving upon the principal Commissioners in the prosecution of the improvement.

STOCKTON, J., *contra*.

We hold that the Assistant Commissioners, therefore, might take part in such subsequent negotiations, and that the Commissioner and one of the Assistants, (being a majority of the Board,) could make a valid contract.

STOCKTON, J. *contra*.

The said supplement, under the law, required the approval of the Governor as much as the original contract. Those dated June 9 and June 20, 1854, are, we think, though not thus approved, recognized and sanctioned by the action of the two departments of government, and are binding and of force in like manner and for the same reason that the original contract is binding.

STOCKTON, J., *contra*, as to so much as treats the action of the State in waiving the necessity of approval by the Governor.

WOODWARD, J., not concurring in the opinion that the approval of the Governor is necessary.

As to the contracts of September 27 and December 5, 1855, we think they are invalid for want of the approval of the Governor, and that there is nothing sufficiently to show that said contracts have been recognized, approved and acted upon by the State, so as to waive the requirement of approval.

WOODWARD, J., holding the approval unnecessary, and doubting, if

necessary, as to the acts of the State being sufficient to amount to a recognition.

We therefore conclude that the supplemental contracts of June 9 and June 29, 1854, are valid and binding, and that those of September 27 and December 25, 1855, are not binding.

STOCKTON, J., dissenting as to the first proposition, and WOODWARD, J. dissenting as to the last.

3rd. Is the contract of December 29, 1856, valid and binding?

So far as it makes a new contract, or modifies or changes former ones, it would seem *prima facie* to be invalid, being signed alone by the Commissioner, and not approved by the Governor.

So far as it is a statement of account or settlement, it is binding; and section three, therefore, and such other parts of said agreement as can be regarded as a settlement with the Company, as contractor or creditor, is valid and subsisting under the law of February 5, 1851. Laws of 1851, page 138, sec. 28.

By WRIGHT, C. J. I have no doubt that this agreement might be valid as a settlement or of claim preferred, but for the fact that, taking it all together, I conclude that so far as it can be called or termed a settlement in its terms, such terms are made dependant or conditional upon those provisions which are termed the contract parts; that such contract parts were the inducement to such settlement, (as such settlement was the inducement to the contract part;) that, in short, the parts relating to the settlement, and those relating to the contract proper, are so intimately connected that you cannot sever, and hold the one binding and the other not; the entire contract is valid or it is all invalid.

I wish to add further that the petition does not seek to avoid said agreement, either as a contract or settlement. The State insists upon its validity and binding force; and I cannot, therefore, see why, as the case now stands, it should not be carried out and performed.

4th. Is the act of Jan. 29, 1857, in relation to the Des Moines River Improvement valid as against the Company, and how far does it invalidate the contract of December 29, 1856, or any of its parts?

The contract of June 9, 1854, being held valid, it follows as a consequence that the act of Jan. 29, 1857, in its essential features,

is of no practical force or effect; the predicate or basis upon which it was enacted, (the invalidity of the previous contracts with the company, represented by the Relator,) proving to be incorrect, it, of course, has nothing upon which to act.

STOCKTON, J., *contra*.

The foregoing position, of course, is not to be construed that said act can in no event have an operative effect. The Company may have forfeited all rights acquired under such contract, or may voluntarily assent to modifications of existing contracts, or make a new and other arrangement under said act, or some other individual or company (if the present company shall appear to have forfeited their contract) may be contracted with, and under these and perhaps other circumstances, the said act would certainly not be without force and effect; but so far as it treats the contract referred to as being invalid, and that the Company have no rights thereunder, it can, as already stated, have no effect.

5th. What is meant by the concluding clause of the contract of December 29, 1856, which provides that in the event of the passage of any act of the Legislature invalidating the rights of either party to this agreement, then it shall become inoperative and void—is, perhaps, not very clear. We conclude, however, it cannot mean an unsuccessful attempt to invalidate, and that, therefore, the said act, as already shown, being of no practical force or validity, the right of neither party to said agreement can be violated, and that therefore said contract or agreement is not inoperative by reason of anything in said act contained.

STOCKTON, J., not assenting to so much of this position as treats said act as invalid.

6th. Under the contract of June 9, 1854, is it proper to include in the estimates, to be paid by the State in lands, the salary of the book keeper, and office rent of offices, by the Company.

We unite in answering this enquiry in the negative. The State (by the lands) pays the State officers, and those engaged in the construction of the work, and not the officers and servants of the Company proper. The Company, we think, is paid by the consideration provided for in the principal contract, and should pay its own officers and employees, and the expenses of the same.

7th. We are to enquire, finally, whether the relator is entitled to the writ of mandamus, as prayed for in the petition.

A majority of the Court conclude that, even if the contract of June 9, 1854 is valid, yet under the showing made in the petition and exhibits, the writ should not be granted.

First. Because the petition does not show that so much of the said contract as requires one-fourth of the work to be completed in each year, has been completed.

Second. That this is only a proceeding in another form to enforce the specific performance of this contract, and that the petition does not show a performance on the part of complainant, nor a readiness, willingness, or effort to perform.

Third. That from this petition and record, it is doubtful at least whether the amount claimed in the petition, or any amount in fact, is due on the contract and settlement with Manning.

WRIGHT, C. J. I do not think these questions legitimately arise at this stage of the controversy. The cause is before us by appeal from the decision of the Court below, on the demurrer to the petition. This demurrer, of course, admits the truth of those facts which are well pleaded in the petition. Taking the petition as true, therefore, and unanswered, I think that the Commissioner should be required to certify the lands as claimed, or show cause in answer to the writ why he does not. In showing such cause, the questions suggested by a majority of the Court might legitimately arise. At present, I think that the matters for our determination do not involve the question whether said Company have complied with their contract, except so far as such questions may arise from the averments, or want of averments in the petition.

When the issue shall be made and cause heard, I think it will be time to adjudicate these objections.

It is the opinion of the majority of the Court, that the mandamus should be refused by the Court.

R E P O R T

OF THE

SUPERINTENDENT OF PUBLIC INSTRUCTION,

TO THE

SEVENTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA.

DES MOINES, IOWA:

J. TEESDALE, STATE PRINTER, CITIZEN OFFICE.

1858.

REPORT.

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION, }
DES MOINES, November, 1857. }

Gentlemen of the Senate, and

Gentlemen of the House of Representatives:

It is made the duty of the Superintendent of Public Instruction, by Section 1036 of the Code, to "make a Report to the General Assembly, at each regular session thereof, exhibiting the condition of the State University and Public Schools, and of the funds appropriated to each, and all such matters relating to the affairs of his office as he may think proper to communicate." In compliance with this provision, I have the honor to submit the following Report:

At the commencement of my term, I was embarrassed by a controversy, which had arisen as to the right to hold the office of Superintendent of Public Instruction, between Mr. James D. Eads, who had been elected by the people, and Mr. Joseph C. Stone, who had been appointed to the office, which, it was alleged, had become vacant, by the Governor. Mr. Eads refused to surrender the office to Mr. Stone, and held the books and papers belonging thereto, and, until I entered upon the performance of the duties of the office, continued in the discharge of its functions. Mr. Eads did not make the apportionment of the interest of the permanent school fund, required by law to be made, on the 25th day of January, till the 14th day of March; when he issued a circular containing instructions to School Fund Commissioners, for carrying the apportionment into execution. On the 20th day of March, Mr. Stone issued a circular, countermanding the instructions of Mr. Eads, and enjoining School Fund Commissioners to "keep on hand" the interest of the school fund, or deposit it with him, or in the State treasury. Amidst these conflicting authorities, School Fund Commissioners

were in doubt, as to what it was their duty to do; but with few exceptions, resolved to retain the money in their hands until the doubt should be removed. Accordingly, when I came to Iowa City and entered upon the discharge of the duties of this office, on the 9th day of June last, I found, awaiting my arrival, numerous letters from all parts of the State, some from School Fund Commissioners, soliciting instructions as to the disposition they should make of the funds in their possession; some from the directors of school districts, asking why the accustomed distribution of school money had not been made; some from teachers, inquiring why the well earned compensation for their services had been withheld; and some from parents, complaining that their schools had been suspended, and their children deprived of the benefits of education. The apportionment, on examination, proved to be correctly made, and in strict conformity with law—except that it was not made at the proper time. It was evident that the public interest required it to be carried into execution, unless there was some legal impediment in the way. I found no difficulty in coming to the conclusion, without deciding the question of right, in controversy between these gentlemen, that, inasmuch as Mr. Stone did not enforce his title to the office, by the judgment of the proper judicial tribunal, and, as Mr. Eads continued in the possession of the books and papers, and in the discharge of the duties of the office, the latter was Superintendent of Public Instruction *in fact*, and, in that capacity, School Fund Commissioners and myself were justified in recognizing his official acts as valid. As prompt action was required, I lost no time in preparing a circular, a copy of which is hereto annexed, which was issued on the 10th day of June to the various School Fund Commissioners of the State, informing them, that, in my opinion, it was their duty to carry into effect, without delay, the apportionment. My attention was called at this time, by the Treasurer of the State, to “an act relating to the School Fund,” passed at the last session of the Legislature, approved January 28th, 1857, and which took effect on the 18th of February, which, according to his construction of it, transferred from the Superintendent of Public Instruction to him, the authority to apportion the interest of the permanent school fund, among the several counties of the State. I was much perplexed to understand the precise meaning of this law, but on the supposition that its intention was to transfer, from the Superintendent of Public Instruction to the

Treasurer of State, the right to apportion the interest of the permanent school fund, I was satisfied, in the first place, that, as the act did not take effect or pass till some days after the time fixed by law for the apportionment to be made, and, as the Legislature could have had no knowledge, that it had not been made, at the time the bill passed, the law could not be so construed as to apply to this apportionment, without that application being specifically mentioned in the act. And, in the second place, on the same hypothesis, that intension is so obscurely expressed, that Mr. Eads might well conclude, that such was not its meaning, and he alone having the books and documents indispensable for making the apportionment, might make it; and it is an established principle of law, that, in case the right to an office is contested between two individuals, the acts of the officer *in fact* are so far valid, as to justify third persons acting under him; and for the same reason, and on the same principle, where an act is prescribed by law, and the right to perform that act is contested between two officers, and one of them, having the books and documents requisite for the performance of the act, and the other not having them, and the former does perform it, this act is valid, and a justification of third persons, who may recognize it, even if it should be ultimately decided that the right was in the other officer. The Treasurer of State claimed the right to make the apportionment, but had not the documents necessary to make it. Mr. Eads claimed the right to make it, and having the necessary documents, made the apportionment. I was convinced, for the reason stated, without undertaking to determine the meaning of an obscure law, that it was my duty to recognize the apportionment of Mr. Eads, and not to revoke the circular referred to. I was strengthened in this conviction by the consideration, that, in case this apportionment were not carried into effect, none could be made before another year. It is a source of satisfaction to know, that the course I thought it my duty to pursue in this case, has been productive of good. The school fund has been distributed among the several school districts, teachers have received the just compensation for their services, and the suspended schools have re-commenced. If it be the opinion of the General Assembly, that the act in question confers on the Treasurer of State the authority to apportion the interest of the permanent school fund among the several counties of the State, in order that he may execute that authority, further legislation is indispensable. The Superintendent of Public

Instruction should be required to transfer to the Treasurer, the Annual Reports of School Fund Commissioners, exhibiting the number of persons between the ages of five and twenty-one, or to certify the number of such persons in each county to him—also to transfer the annual interest reports, or to certify to him the amount of interest collected in each county. The power to revise and approve the action of county officers in relation to the salaries allowed to School Fund Commissioners, should, also, be transferred from the Superintendent of Public Instruction to the Treasurer of State.

SCHOOL LANDS.

The Commissioner of the General Land Office, in his Report for the year 1848, estimated the quantity of land in Iowa belonging to the 16th section, at 905,137 acres. Mr. Benton, late Superintendent of Public Instruction, in his report for the year 1850, estimated it at not less than 1,000,000 acres. From the best information in my possession, I am inclined to estimate the whole amount of land belonging to the 16th section at 1,011,456 acres. Of this part of the school lands, there had been sold, as appears by Mr. Benton's Report, dated June 6th, 1854, prior to the 1st day of April, 1854,.....269,437.51 acres.

Between April 1st, 1854, and October 1st, 1854,
as appears by Mr. Eads' Report for the year
1854,..... 47,603.41 “

Between October 1st, 1854, and October 1st,
1856, as appears by Mr. Eads Report for
the year 1856,..... 89,872.44 “

Between October 1st, 1856, and October 1st,
1857, as appears by the annexed table,
marked C,..... 30,490.00 “

Whole amount of land belonging to the 16th
section sold,..... 437,403.36 “

Land belonging to the 16th section unsold,... 574,051.64 “

Estimated amount of 16th section,.....1,011,456.00 “

Of the land granted to the State of Iowa by Act of Congress of the 4th of September, 1841, commonly known as the 500,000 acre grant, there had been sold prior to April 1st, 1854, as appears by

SUPERINTENDENT OF PUBLIC INSTRUCTION.

Mr. Benton's Report, dated June 6th, 1854,	-	285,862.76	acres.
Between April 1st, 1854, and October 1st, 1854,			
as appears by the report of Mr. Eads for 1854,		90,272.47	"
Between October 1st, 1854, and October 1st,			
1856, as appears from Mr. Eads' report, for			
the year 1856,	- - - - -	63,252.93	"
Between October 1st, 1856, and October 1st,			
1857, as appears from the annexed table,			
marked C,	- - - - -	14,723.73	"
Whole amount of the 500,000 acre Grant sold,		454,111.89	"
Amount remaining unsold,	- - - - -	45,888.11	"
		500,000.00	"
It appears that the whole amount of school lands belonging to			
the State, and unsold, is, of 16th section,	-	574,051.64	acres.
Of the 500,000 acre Grant,	- - - - -	45,888.11	"
Total,	- - - - -	619,939.75	"

SCHOOL FUND.

Mr. Benton's Report, referred to above, exhibits the condition of the school fund of the State on the first day of April, 1854, as follows :

Land sold for cash,	- - - - -	\$304,302 82
" " on credit,	- - - - -	550,605 84
Total amount derived from sale of lands,	-	\$854,908 66
Amount derived from intestate estates,	-	58 00
" " " one dollar on contracts,		1,288 00
" " " five per cent. fund,	-	51,326 95

Total amount of school fund, April 1st, 1854,	\$907,581 61
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Mr. Eads' report, dated December 4, 1854, exhibits its additions to the School Fund, as follows—

Land sold for cash,	- - - - -	\$ 73,211 52
" " on credit,	- - - - -	126,936 91

Mr. Eads' report of December, 1856, exhibits additions to the School Fund, as follows—

Lands sold on credit,	- - - - -	\$200,125 98
" " for cash,	- - - - -	69,343 86

Amount of five per cent. fund, received January, 1855,	- - -	54,241 58
“ March, 1856,	- - -	226,800 86
Amount added to the School Fund during the term of Mr. Eads,	- - - - -	750,660 71
The amount of the five per cent. fund accruing to this State for the year 1855, was received by the Treasurer of State, amounting to \$185,785 53		
And also for the year 1856,	- - -	34,219 34
Total amount received by the Treasurer of State belonging to the School Fund,	- - - - -	220,006 87
The School Fund has been increased during the year from October 1st, 1856, to October 1st, 1857, as follows—		
Land sold for cash,	- - - - -	\$ 41,339 58
“ “ on credit,	- - - - -	110,954 96
Total,	- - - - -	152,994 40
Present amount of School Fund,		\$2,030,543 65

From this sum must be deducted the amount lost by defalcation. Mr. Benton made a most complete and faithful examination of the books and accounts of all the School Fund Commissioners in the State during his term of office, and his final report exhibits defalcations, as follows:

Archibald McKinney, School Fund Commissioner of Henry county,	- - - - -	\$ 915 50
W. Walker, School Fund Commissioner of Des Moines county,	- - - - -	2,497 92
J. D. Simison, School Fund Commissioner of Benton county,	- - - - -	3,030 37
Total,	- - - - -	\$6,443 79

Since this report was made, I have been informed by the School Fund Commissioner of Des Moines county, that the sum of \$1,666.42 of the indebtedness of W. Walker has been paid, or so secured as that it will be ultimately paid. This sum being deducted leaves the amount of losses during Mr. Benton's term of office, \$4,777 37.

In Mr. Eads' first report, he states that he has “examined the books and papers in the offices of the School Fund Commissioners

of forty counties," and "found no defalcations by any of the present incumbents." In his second report he mentions no examinations, nor the discovery of any defalcations, and none have come to my knowledge, since my entrance upon the discharge of the duties of this office.

At the last session of the Legislature, an act was passed authorizing the Governor to appoint agents, who were required to examine the books, papers, &c., of the several School Fund Commissioners, and report to him various particulars therein mentioned. These reports, when they are all received, will bring to light, unquestionably, all suspended and doubtful debts due the School Fund, and all defalcations of School Fund Commissioners, if any have occurred, that have not been discovered. Several of these reports have been transmitted to this office by the Governor, and from them it appears that there are doubtful or suspended debts as follows:

Dallas County, -	-	-	-	-	-	-	-	\$500 00
Warren "	-	-	-	-	-	-	-	175 00
Keokuk "	-	-	-	-	-	-	-	100 00
Decatur "	-	-	-	-	-	-	-	53 22
Muscatine"	-	-	-	-	-	-	-	6 10
Total, -								\$834 32

Most of these debts, however, it is understood, will be ultimately collected.

It would be interesting to know the ultimate amount of the School Fund of the State, but of course, in any estimate the true sum can only be approximated. The average price of the land sold during the past year was \$3 36 per acre; if the school lands remaining unsold, viz., 619,939.75 acres, are sold at that price, they will bring \$2,182,997 55, which added to the existing School Fund, without making any deductions for losses, amounts to \$4,213,541 20.

A considerable sum will yet be received, it may be expected, from the five per cent. fund. Thus far the State has only received five per cent. of the proceeds of the sales of lands within its limits, actually made for cash. It is known that most of the lands disposed of by the United States within this State, have been entered by land warrants. These warrants were issued to soldiers, in payment of what was conceived to be a debt; indeed, they had the option either to take a warrant entitling them to a specific quantity of

money, or a warrant securing them a specific quantity of land. Such a disposal of the lands is, so far as this State is concerned, equivalent to a sale. The provision of the Act of Congress, approved March 3d, 1845, granting to Iowa five per cent. of the nett proceeds of sales of lands within it, was, in fact, the stipulation of a contract, the conditions of which, incumbent on this State, have been performed, and we are as much entitled to five per cent. of the value of the lands disposed of by means of military land warrants, as we are to five per cent. of the nett proceeds of the sales of lands actually made for cash. Upon this principle Congress has already, authorized the allowance, to the States of Mississippi and Alabama, of five per cent. of the value of all lands included in Indian reservations. It may be reasonably anticipated that this allowance will be made by Congress to this State, and there will be received from this fund, in addition to what has already been received, not less than \$1,500,000. If our hopes in this respect are realized, it may be estimated that our permanent School Fund will reach \$5,500,000.

ADMINISTRATION OF THE SCHOOL FUND.

The want of adequate provision for the examination of the books and accounts of School Fund Commissioners is a serious defect in the existing system of administering the School Fund. Section 1072 of the code requires the Superintendent of Public Instruction to visit the several counties of the State and examine the books and accounts of School Fund Commissioners. When the number of counties was small, this work might readily be performed, and it was done with fidelity by Mr. Benton. But the number now has become so large that it would be almost impracticable. I should have felt under obligation to have undertaken it, however, but I was relieved from it by the act before referred to, authorizing the appointment of agents for that purpose. But that act was only a temporary measure.

An article in the new constitution renders an entire change necessary in the administration of the School Fund, and affords an opportunity for making ample provision for a rigid supervision of its management. The article is as follows: "The financial agents of the School Funds shall be the same that by law receive and control the State and county revenue, for other civil purposes,

under such regulations as may be provided by law." In order to carry into effect this provision of the constitution, it would seem expedient to provide by law,—First, that the county Treasurer shall be entrusted with the custody of the School Fund, the collection and disbursement of the interest thereon—and Secondly, the county Judge shall have the superintendence of the sale of the school lands, the loaning of the School Fund, and the apportionment of that part of it assigned to his county by the proper State officer, among the School districts; but he should not have the possession of any money belonging to the School Fund—money received in payment for lands sold, should be paid to the county Treasurer, and money loaned to individuals or apportioned to school districts should be paid out on the order of the Judge. In order that he may discharge these duties and audit the accounts of the Treasurer, he should, at all times, have access to his books and papers. He should also be required to keep the proper books, in which should be recorded his transactions in relation to the school fund. The power to make the apportionment of the interest of the permanent school fund should be transferred from the Superintendent of Public Instruction to the Auditor of State, and, in order to enable him to do this, the reports of the amount of interest collected in the several counties should be made to him, and, the Superintendent of Public Instruction should be required to certify to him the number of children between five and twenty-one years of age, in the several counties. At present, the compensation of School Fund Commissioners is taken from the interest of the school fund, and, the amount of it is determined by the county officers with the approval of the Superintendent of Public Instruction. It would be expedient, in case the proposed change is made, that the whole compensation of the county Treasurers as well as that of the county Judge should be paid from the county Treasury. Under the existing system, much inconvenience is experienced and much expense is incurred by School Fund Commissioners, in counties, in which the interest collected is not equal to the sum, which their counties are entitled to receive, according to the apportionment of the Superintendent of Public Instruction, in consequence of their being obliged to obtain the deficiency by drafts on School Fund Commissioners, who have a surplus; and, for this purpose, they are frequently compelled to travel to considerable distances. All this inconvenience and expense may be prevented,

by empowering the Auditor of State to direct School Fund Commissioners, having a surplus of school money, to deposit such surplus in the State Treasury. All county Treasurers are required by law, at stated times, to deposit the State revenue, which they have received, in the State Treasury, at the same time, they might be ordered by the Auditor to deposit the surplus of school money in their hands; and Treasurers of counties, when there is a deficiency of school money, may collect the Auditor's Warrants drawn to supply that deficiency, when they come to the Capitol to deposit their State revenue. I have thus stated, without going into detail, some of the general principles of a system for managing the school fund, which seem to be required, in consequence of the adoption of the new Constitution.

SCHOOLS.

There are eighty-four organized counties in the State. Reports have been received from the School Fund Commissioners of seventy-six. No Report has been received from Chickasaw, Mitchell, Monona, Story, Sac, Tama, Woodbury or Worth. Many of these Reports are more or less imperfect, and, from them it appears, that there is scarcely a county in the State, where all the districts have made, to the School Fund Commissioner, the returns required by law. These reports exhibit some facts which will not fail to secure the attention of the Legislature and attract the notice of the friends of education throughout the State. By the annexed table marked A, it appears that there are in the districts from which returns have been received, 195,285 persons between the ages of five and twenty-one years, and of this number only 79,670 attended the schools of the State. It must be remembered that this is not the number of those who constantly attended school, but it includes every scholar who attended school at all; barely two-fifths of the whole number. Three-fifths of the children of the State, of the proper age to attend school, did not enter into the school room during the past year. More than one half of the youth of the State are growing up in ignorance, notwithstanding the provision made for the support of schools. In the State of Ohio, from which more people have emigrated to this, than from any other State, four-fifths of the youth between five and twenty-one years of age

attend school; yet there, the absence from school of barely one-fifth of the children, of a suitable age, is considered a serious evil, demanding an effectual remedy. The same table exhibits another fact not less striking nor less melancholy. There are 3,265 organized school districts in the State, but there were schools maintained in only 2708. By the report of my predecessor for the year 1856, it appears that there were 2850 organized school districts in the State, at that time, and which of course received their proportion of the school money for the present year. There were then 142 districts in which no school was kept during the past year, and which received their due portion of the interest of the school fund, notwithstanding the old constitution requires a school to be kept at least three months in every year, in every school district, and a similar provision is also contained in the new constitution. More full and detailed information respecting the common schools of the State would be desirable, but I have none in my possession that has not been derived from personal observation and inquiry. In several counties there prevails a laudable zeal on the subject of education, which has put their schools in a high state of improvement. But in general, my inquiries lead me to believe that our common schools are in a very unsatisfactory state. There is usually no examination of teachers, and frequently most unsuitable persons are employed as instructors, and there is seldom any visitation of schools, to insure fidelity on the part of teachers, and to inspire emulation on the part of pupils. It is gratifying, however, to find so large a sum, \$71,784,58, raised in the school districts by voluntary subscription. It indicates on the part of the people a desire for better schools and a readiness to submit to the taxation requisite to accomplish that purpose.

SCHOOL LAW.

The deplorable condition of our schools is mainly to be attributed to the want of an efficient school law. Our system is a patch work of laws, enacted at different times, incongruous and altogether unsuited to the present situation of the State. The defects of our laws have been long felt, and, frequently have occupied the attention of the Legislature. At the extra session in July, 1856, an act was passed, authorizing the Governor to appoint Commissioners

to revise the school laws. Commissioners were accordingly appointed, who prepared a law admirable in most of its features, which was reported to the last Legislature, but it failed to be adopted.—The necessity of revising the school laws, has, at length, become so pressing that it can no longer be postponed. This subject must command much of the time of the Legislature at the coming session. The government has, heretofore, been much employed in legislation to enlarge the material resources, and promote the physical happiness of the people; this is, doubtless, a high duty; but it is an immeasurably higher duty to legislate for the development of the moral and intellectual powers of the people. We are enjoying the fruits of our legislation in the increasing public and private wealth. The commercial revulsion, which has fallen with so heavy a hand on many parts of the country, has been but lightly felt in Iowa. We are abundantly able to make liberal appropriations for the education of the people. The education of the youth of the State is not simply a duty; it is more—it is a debt due to posterity. With a deep feeling of the responsibility of the position to which I have been, most unexpectedly, called, I have thought that it would not be impertinent or inappropriate for me to suggest to the Legislature, some features of a system of public schools, which it would be becoming such a State as Iowa to adopt. The great primary object of a system of schools should be, first, to provide for the instruction of the whole people in all the elementary branches of knowledge, in free schools; and secondly, to provide for the education of teachers for these schools. To accomplish this object, it would seem expedient to establish two grades of schools; first, the common school in which shall be taught, free of charge, all the youth of the State, in orthography, reading, writing, arithmetic, geography, English grammar and the elements of constitutional and administrative law; and secondly, the high or secondary schools for the instruction, free of charge, of teachers for the common schools, in the art and theory of teaching, and also, in all the branches of knowledge requisite for a liberal education; and others, not intending to be teachers, may be allowed to pursue in these schools the same studies on the payment of a moderate fee for tuition. In several States normal schools have been established, exclusively devoted to the education of teachers. There is no necessity for such distinct schools for the education of teachers. Young men, intending to qualify themselves to become teachers, may successfully learn

chemistry, geology, moral philosophy, history and every other department of knowledge, in the same way, in the same schools, and from the same professors, as those who intend to enter any other profession. High schools for the education of teachers should be established in all the populous and wealthy counties. A county containing twenty thousand inhabitants, or more, should be required to erect a suitable building for the accommodation of such a school, and to raise not less than one thousand dollars, annually, for the support of it, and upon complying with this requisition, should be entitled to receive one thousand dollars in addition from the State Treasury; and any county containing less than twenty thousand inhabitants, should be entitled to receive also a thousand dollars from the State Treasury, on similar conditions. A scheme of public instruction would be incomplete without some provision for a higher degree of mental culture, without an institution to facilitate the cultivation of philosophy in all its branches, and the pursuit of the sciences in all their ramifications. We have such an institution in the State University already organized, and handsomely endowed. In the high schools young men should be prepared to enter the University, and, in the University, young men should be educated without charge for tuition, to become professors in the high schools. The proposed system, then, is thus constituted: 1st, the Common School; 2d, the High School; 3d, the State University—each in its order, preparatory to the other. It is intended to afford gratuitous instruction to the whole people in all the elementary branches of learning, and furnish a liberal education, free of charge, to such as are intended for the profession of teaching, and to offer to all, facilities for acquiring a liberal education, in the high schools, and for pursuing every department of knowledge to its utmost limits, in the university. The university and the high schools will be, doubtless, the most suitable place to pursue the studies assigned to them respectively, but the expenses of supporting students at a distance from home, and the danger arising from the removal of the control of parental authority, will always be an impediment to many in the way of acquiring an education in these institutions. It would in some measure remedy this evil, if teachers competent to instruct in most of the studies pursued in the high schools, were employed in the common schools; for this reason, it is desirable that as many teachers as possible should receive a liberal education.

In the present condition of our schools, the large number of

school districts which do not maintain any school, the number of children of proper age who never enter a school house, amounting, according to a table before referred to, accompanying this report, to three-fifths of the whole number—the employment of teachers without examination, often utterly incompetent, are facts derogatory to the character of the State. The most effectual remedy for these discreditable evils, is to provide, in a new school law, for the election of a county superintendent of schools, who shall have a supervision over all the schools of the county—and whose duty it shall be to establish school districts and determine their boundaries; to examine teachers and grant certificates of qualification; to visit every school in the county, at least twice during the year; to prepare the statistical statements, with regard to schools, and return them to the Superintendent of Public Instruction; to make annually, a general and detailed report of the condition of the schools of his county, and to perform such other duties as may be required of him by law. There should be elected in every township a committee to consist of three, five or seven members, according to the population of the township, to have the general superintendency of all the schools in the township, and whose duty it shall be, to see that suitable teachers are employed in all the schools; that none are employed who have not been examined, and received a certificate of qualification; to visit each school, by some one of their number, as frequently as once a month, at least, during the term of its continuance, and see that the scholars are prompt and constant in their attendance, and to make, annually, to the county superintendent, a report, exhibiting the attendance, progress, and general condition of all the schools under their supervision.

It is a difficult question to decide, whether a township shall constitute a single district, or whether it should be divided into several, as it is at present. The tendency of the present system is to multiply districts so far, that they contain but a small number of scholars, and, of course, receive but a small portion of school-money. The consequence of this is, that, in many districts, no school is kept, and, in a greater number, it is kept for so short a time, as to be almost useless. If each township form one school district, under the charge of a competent committee, they can establish as many schools in different parts of the town, as the inhabitants need, and provide for the continuance of schools for the same length of time in all of the districts, thereby affording equal oppor-

tunities to all the children of the township to obtain an education. If it were an original question, there is no doubt that township districts would be preferable. The principal obstacle in the way of its adoption, arises from the inconvenience of substituting, for a system with which the people are familiar, one to which they are unaccustomed. There is some reason to apprehend, that, at the outset, it might occasion so much embarrassment to put it in operation, as to excite a clamor against it, that would render its abandonment necessary. In such case its adoption would be mischievous. As a general rule, no change should be made in a system to which the habits of the people are conformed, except for the most urgent reasons. Upon the most mature consideration, however, I am inclined to favor the township system of districts. I recommend it, however, with some hesitation; for, I know, upon such a subject, the members of the Legislature, coming from different parts of the State, acquainted with the feelings and opinions of the people, are the best judges. Mr. Benton, a high authority on such a question, recommended the township system. Mr. Mann, the originator of the whole career of improvement in education upon which this age has entered, and Mr. Dean, the Chancellor of the State University, commissioners appointed by the Governor to revise the school laws, also recommended it in their report, and their arguments on this subject are so precise, pertinent and forcible, that it seems to me, it would not be unprofitable for me to incorporate them in this report.

“Your commissioners, however, feel bound to say that they have presented this organization simply in reference to the existing state of things. Their own settled convictions are, that the whole district system, as stated in the bill, should be promptly discontinued, and that of making each civil township a district, substituted in its place. The following are some of the reasons which have led to this conviction.

1. It facilitates and greatly simplifies the organization of districts.
2. It gives much fewer occasions for controversies relative to boundaries.
3. It greatly reduces the number of district boards of directors, and consequently limits the expenses attending these boards.
4. It diminishes very much the number of presidents of these boards, and thus renders the annual meetings of the county board of examiners and presidents of the district boards far less numerous in attendance, better calculated for business purposes, and less expensive.
5. It renders the position of president of the board more honora-

ble, makes it a higher mark of distinction, gives a larger scope for a choice, and will tend to secure for it a higher grade of talent and attainment.

6. It equalizes among a large community the burdens imposed in the erection, repairs, and outfit of school houses, offers much greater facilities and inducements to establish district libraries, and to sustain and increase them.

7. It tends to a more equal participation in the benefit of the common school fund.

8. It annihilates, and forever, the possibility of cutting up a population into SMALL DISTRICTS, to which the district system so frequently leads.

9. It gives to each family in the district the choice of schools to which to send, and sometimes of districts, after the location of school houses is decided upon.

10. It leads to the erection of more commodious school houses, with larger accommodations and means of instruction.

11. It tends to secure the services of more accomplished teachers, the accommodations being better, and the choice of schools furnishing the strongest motives to keep them in the best manner.

12. It offers facilities for classifying those of different ages and attainments, and of employing different grades of teachers in their instruction."

It is a part of the plan here suggested, as before stated, to provide for the education of teachers without charge for tuition. The selection of teachers, to be thus educated, is a matter of the utmost consequence. A limited number of persons, designing to become teachers, is now selected by the Governor, the Superintendent of Public Instruction, and the Judges of the District Courts, who issue to them certificates, entitling them to receive instruction, free of charge, in the Normal Department of the University. But applicants for certificates are under no legal obligation to become teachers, and sometimes obtain certificates for the purpose of having free tuition, rather than for that of becoming teachers; and, in general, little regard is paid to merit in making the selections. In the first place, young men should be appointed to be educated as teachers, solely on account of merit; and, in the second place, such inducements should be offered to them, as to secure their acceptance of the appointment. To accomplish this, it is proposed to establish scholarships, in the High Schools, entitling any person elected to such scholarship, to receive from the county treasury, fifty dollars annually, towards his support in that school, for a term of three years or more; on condition that he shall, after the termination of his

scholarship, agree to engage in teaching such school as shall be assigned to him by the County Superintendent, for a term equal to that during which he has enjoyed the scholarship, and, for that term, fifty dollars per annum shall be deducted from his compensation, to reimburse the county for the sum he has received from his scholarship. For the same purpose, upon the same conditions, and for the same term, scholarships should be established in the State University, entitling the recipients of them to receive seventy-five dollars from the State Treasury, except that a University scholar shall be required, after he has completed his education, to become a Professor in such High School as shall be prescribed to him by the Superintendent of Public Instruction. A scholarship in the High School should be assigned to every township in the State. And, as experience has shown that females are superior to the other sex in imparting instruction in the elementary studies, and, at least, equal in the higher branches of learning, they should alternately be appointed in each township to scholarships in the High School. And, in the State University, a scholarship should be assigned to each senatorial district. The scholarship in the High School should be conferred by the school committee, with the approbation of the county superintendent, upon the first scholar in the township, in point of talents, attainments and virtues. And the first scholars in the High Schools should be selected by the professors and county superintendent, for the scholarships in the university. The design of these scholarships is to offer prizes to the youth of the State, for the attainment of every species of excellence; to institute a search for the "gems of purest ray serene, the dark unfathomed caves of ocean bear;" for the "flowers born to blush unseen, and waste their sweetness on the desert air;" to bring forth from their concealment, the souls "pregnant with living fire;" to raise the profession of the teacher from the lowest to the highest rank; to call into the service of the State, to form the minds of the future citizens, the most able, the most learned, the most virtuous men: to add a new impulse, and to give a new direction to the ambition of the generous sons of Iowa; to elevate the moral and intellectual character of the people; in a word, to make this Republic the foremost in the confederacy. It is here proposed to assign in the beginning, one scholarship only, in each township. It may be found expedient hereafter, to assign two or more to the more populous towns.

This scheme of educating teachers will not, even when it is carried into complete operation, furnish a sufficient number to supply all the schools of the State, but by bestowing on a large number the means of obtaining a liberal education, it will elevate the tone and character of the whole body, and, at the same time, afford ample opportunity for selecting meritorious individuals among the people. It is probable that for some time to come, teachers will be selected very much as they have been heretofore. It is to be hoped, however, that none will be employed without a due examination, or destitute of the requisite education; but most of them, if not all, may be improved by instruction in the art and practice of teaching. For this purpose, in many States, teachers' institutes have been established with eminent success. I have been solicited by many distinguished teachers to recommend these Institutes to the Legislature, and in accordance with their wishes and the dictates of my own judgment, I would recommend a liberal provision for them in a new school law.

A school law should contain some regulations respecting the erection of school houses. According to a table annexed to this report, and marked B, there are in the State 1686 school houses, Of these, 215 are of stone or brick, 936 framed, and 535 of logs. Probably many of the log houses, and some of the framed houses are of little value; yet the expense of building them was doubtless heavily felt by the districts by which they were erected. In most districts a school cannot be kept until a school house is erected, and they are usually obliged to impose a tax for the whole cost in a single year; a tax which in many cases must be oppressive, especially if a commodious house is erected. It is not surprising, then, that there is a large number of school houses unfit for the purpose. Every school house should be built of substantial materials, on an eligible site, spacious, well ventilated and warmed, fitted with seats and desks of the most approved style, and furnished with apparatus for illustrating the studies pursued in them. In order to insure the erection of such houses in every district, the site and plan of every school house should be approved of by the County Superintendent, previous to the commencement of the building, who should be furnished with a copy of Barnard's School House Architecture, to aid him in discharging this duty. And for the purpose of relieving districts of the heavy burden of raising a revenue in a single year, sufficient to defray the expense of

building school houses, and of distributing it over several years, they should be authorized to borrow money for that purpose, from the school fund or elsewhere, and the officer, having charge of the school money, should be required to make loans to school districts in preference to private individuals.

The State of Iowa must always be essentially an agricultural State—the capacity of every acre of land in it, for cultivation, the inexhaustible fertility of the soil, and the salubrity of the climate, all indicate it unmistakably as the land which must supply thousands of thousands of people, besides those who cultivate it, with food. It is the nature of agriculture to spread a people over a considerable extent of territory, while the mechanical trades, manufactures and commerce concentrate a population within a narrow compass, in towns or cities. Populous towns spring up on the inlets of the sea, upon the shores of great lakes, on the banks of navigable rivers, upon the rapids and water-falls of the lesser streams, that furnish water power for manufacturing establishments, at the capitals of States, and at the seats of justice of counties. This congregation of mechanics, manufacturers and merchants, in the town, is as advantageous to the farmers, as the dispersion of farmers, over considerable territory in the country, is beneficial to mechanics, manufacturers and merchants. This distribution of employments is an arrangement of Providence; it is a law of nature. But the concentration of people in towns may go too far; there are many classes of society, the scholars, the men of leisure, the rich, who might as conveniently live in the country as in the town; these classes are almost universally allured to the town. Cities are the abodes of wealth, of genius, and of learning. When the people would employ statesmen to make their laws, they must resort to the towns. Of the thirty-six members of the convention, that framed our present constitution, twenty-nine were residents of cities or county seats. The superior advantages of cities has engendered an arrogant feeling with regard to the country, which has even made its impression on our language, and not upon our language alone, but upon the languages of other countries, for languages have been formed by the learned residents of cities. The words that represent our ideas of accomplishment and refinement are derived from words which signify city—thus, we say of a refined and accomplished gentleman that he is civil, or urbane, that he is polite, the former words derived from the Latin *civis*, inhabitant of a city, and *urbs*,

city, and the latter from the Greek word meaning city—and a man of rough, disagreeable manners and vicious principles, is called a boor, a pagan, a heathen, or a villain, words, in former times which meant, simply a dweller in the country, and were no more terms of reproach, than farmer is at the present day. In the older states the population has increased with considerable rapidity for several years past,—but this increase has taken place almost entirely in the towns; in the agricultural districts the population has generally remained stationary; in some, indeed, it has diminished. Several causes have co-operated to bring about this result—but the most efficient cause has been the superior advantages enjoyed for education by populous towns. One school cannot conveniently accommodate a greater territory, than about three miles square, or nine square miles—in a district of this size, many of the scholars would be obliged to walk more than two miles to the school house. It may be estimated that such a district will contain about one hundred scholars, when the State attains a population of a million. But the great city of New York, with its half million of people, its countless wealth, its boundless commerce, exceeding that of any other city in the universe, does not cover an area greater than nine square miles. I will not, however, take the city of New York, in comparison with a country district, to illustrate the unequal advantages enjoyed for education, by the latter, but will take a populous town of our own: the city of Dubuque, which is district No. 1, Julien township, and a country district in the same county, No. 2, of the same township. The number of scholars reported in No. 1 is 3,939; in No. 2, 69. It is probable, that by the apportionment of school money to be made in January next, each scholar will receive about one dollar—Dubuque city will then receive \$3939—a sufficient sum to compensate the teachers of the five schools in the city for a whole year, and district No. 2 will receive \$69—scarcely sufficient to keep a single school three months. The two districts here selected for comparison may be considered as fair representatives of the city and country districts; it thus appears, that the interest of the school fund is so distributed, as to furnish schools for the education of children in the city, during the whole year, and for the children in the country districts, for only three months in the year. The disparity in the means of education between the city and country, is not confined to Iowa, it prevails throughout the world. It is not strange, then, that men of wealth should migrate

from the country to the city for the education of their children. Should this tendency of population to congregate in the town be encouraged, or, on the contrary, should it not be counteracted? Is it to be tolerated in this agricultural State, that the word farmer should go into the same category with villain, pagan, and heathen, and that aspiring politicians shall be obliged to coin a new word to flatter the cultivators of the soil? The rural districts are the abodes of industry, of tranquillity, and of virtue; and if, in the great cities are to be found the habitations of refinement and learning, the gorgeous palaces of wealth, and the sacred temples of piety, there are also to be found there, the purlieus of vice and crime, of famine, and of pestilence. It is as much for the interests of the State, nay, it is as much for the interests of the city of Dubuque, that a child in district No. 2, Julien township, should be well educated, as a child in No. 1, in the same township—yet the State gives the latter a four-fold advantage over the former. And this is done, not by a law, which may be repealed, but by the constitution. But this provision of the constitution applies to the interest of the school fund, and not to the money which may be raised by taxation. This injustice may, therefore, be removed, and the town and country districts placed more nearly on an equality, by providing that the money raised by taxation, shall be equally divided among the districts of the county.

I have now exhibited some of the features of a scheme for the education of the people, which it has seemed to me, befitting that Iowa should now adopt, at this early period in its career as a sovereign State. It may, perhaps, be interesting to the legislature to have an estimate of the additional expenditures, which the adoption of this scheme will impose on the State.

1. The expenditure for the scholarships of \$75 each, in the University, one for each senatorial district—thirty-six in number, will amount to \$2,700, annually.

2. The appropriation of \$1,000 annually for the support of a high school for the education of teachers, to each of the counties containing twenty thousand or more inhabitants, which shall erect suitable buildings for that purpose, and raise annually by taxation \$1,000 in addition, will amount to \$4,000 annually—there being four counties which contain twenty thousand inhabitants and upwards, viz: Lee, Dubuque, Des Moines and Scott.

The amount, therefore, to be appropriated from the State Treasury will be as follows:

University scholarships, ...	\$2,700
For county high schools, ...	4,000
Total, ...	<u>\$6,700</u>

The amount to be raised by counties, will be,—first, Each of the four counties mentioned will be required, besides erecting a suitable building for the high school, to raise \$1000, annually, to support such school; and, secondly, for the scholarships in the high school, counties will be required to raise sums varying from \$100 to \$1,000. Only one county in the state will be obliged to raise more than \$900. There are 702 townships in the State, and the whole sum to be raised for these scholarships, for the whole State, will be, annually, \$35,100

To be raised by counties for high schools, annually, 4,000

Whole sum to be raised by counties. \$39,100

But it must be remembered, that the sum appropriated for both classes of scholarships, from the State, as well as from the county treasury, is to be refunded, and should not be considered as a tax. This system, in fact, imposes upon the State an annual appropriation of only \$4,000; and upon four of the most populous counties of the State, one of \$1,000 each, which, it is presumed, they will raise with the utmost cheerfulness.

As it is to be hoped, that we have arrived at a new epoch in our legislation on the subject of education, it will be an important question for the General Assembly to determine, what sum shall be raised, in future, for the support of common schools. At present, the law requires that a tax of not less than one half mill, nor more than one mill and a half, shall be assessed upon the property of every county, for the support of schools. I do not believe that there is a member of the Legislature, who is willing that our schools should be inferior to schools elsewhere; I do not believe that there is a citizen, who is willing that they should be inferior, for the sake of diminishing his taxes; if there be such a citizen, he dishonors her. I feel that the rising genius of the State would indignantly rebuke me, were I to propose a sum insufficient to make our schools equal to those of any other State. I have not the means of stating the amount raised, by taxation, for the purpo-

ses of education, in any State except Massachusetts. In that State, the amount raised by taxation, by the towns, in addition to the interest of the school fund, nearly as large as ours, for the wages of teachers alone, was, in the year 1855, \$1,137,407 76,—equal to one dollar to every inhabitant. It may be estimated that the population of Iowa amounts, at this time, to 650,000. If Iowa raised a sum proportionate to that raised by Massachusetts, she would raise \$650,000. It must not be forgotten, that Massachusetts, besides this amount, raises considerable sums for fuel, building and repairing school houses, and for the superintendency of schools. It would be advisable, I think, to provide by law, that each county should be required to assess, for the maintenance of schools, a tax of not less than one and a half mills, and not more than two and a half mills on the dollar of the valuation of the property of the county. By the former tax, \$315,000, which is the sum authorized by the existing law, and by the latter, \$525,000 would be raised. If the counties would raise the latter sum, I have no doubt that that, with the income of the school fund, would, with an efficient superintendency, soon place our schools in a condition as eligible as those of any other State in the Union. The adversity which has fallen so heavily on the Eastern States, and so lightly on this, has turned the eyes of many people to the West. They are watching with anxiety, your legislation with regard to education, to determine whether they will cast their lot in this State. If your legislation is such as there is every reason to anticipate that it will be, a great addition may be expected to our population during the ensuing year.

SCHOOL BOOKS.

It is made the duty of the Superintendent of Public Instruction, by section 1062 of the code, to examine and recommend, to the several school districts, "a uniform series of text books, to be used in the schools thereof." I have not felt it to be my duty to make any change in the list recommended by my predecessor. I have come to this determination, not so much on account of the superior merit of the books themselves, as on account of the inconvenience and expense the change would cause to the people of the State; for an entire change of the books in use in all our schools, would be

equivalent to imposing a tax of one hundred thousand dollars on the people of the State. The books in use possess a considerable degree of merit, but I might substitute others for some of them, were it not for the consideration above suggested. The success of our schools depends far more on the character of the teachers employed than upon the character of the text books used.

STATE UNIVERSITY.

It is, also, made my duty to exhibit the condition of the State University, and the funds thereto appropriated. There were granted, by the United States, to the State, for the support of a University,.....46,080 acres of land.

There have been sold,.....31,843.60 " "

There remain unsold,.....14,114.34 " "

Of the original grant there has not

been selected by the State,..... 122.06 " "

The land sold has brought \$112,957 44. This is the present amount of the University fund drawing interest at the rate of ten per cent. It is anticipated that the land unsold will bring enough to make the fund of the University at least \$200,000.

The revenue of the University for the year from January 1st, 1857, to December 31st, 1857, is as follows :

Interest due January 1st, 1857, and paid,.....\$9,342 59

Received for tuition from students,..... 566 00,

Total revenue,.....\$9,908 59

Expenditures for the support of the University for

the same period,..... 8,670 11

Balance in the hands of the treasurer,.....\$1,238 48

The resources for the year commencing January 1st, 1858, and ending December 31st, 1858, are as follows:

Balance in the treasurer's hands,.....\$ 1,238 48

Interest due January 1st, 1857, and unpaid,..... 1,849 45

Interest due on unpaid interest,..... 184 94

Interest due January 1st, 1858,..... 11,295 74

Tuition paid by students,..... 600 00

Total resources,.....\$15,168 61

The estimated expenditures for the same period are, 14,500 00

Estimated balance in the hands of the treasurer,

January 1st, 1859,..... \$668 61

By the removal of the Capital to Des Moines, the capitol building at Iowa City has come into the possession of the University, to which it was granted many years ago. In the meantime, it has been occupied by the State, and has become very much dilapidated. The cornice is very much decayed, and the roof affords no protection against the rains, and, in other respects, the building needs repair. It is estimated that \$5,000 will be necessary to put it in a suitable state for the occupation of the University. I therefore respectfully recommend an appropriation of that sum, for that purpose.

The organization of the University, the arrangement of the departments, and the general regulations for its management, are shown in the catalogue, which is appended to this report. The Chancellor, the Professor of Natural History, and the Professor of Chemistry, have not yet entered upon the discharge of the duties of their Professorships, and it will be seen that Professors have not been appointed in the departments of Intellectual and Moral Philosophy. It appears, from this catalogue, that the whole number of students, male and female, in the University, is one hundred and twenty-four. Of this number, sixty-five are in the Preparatory and forty in the Normal Department. Some students are in both the Preparatory and Normal Departments, and some from both these departments receive instruction in the departments belonging to the University proper; but there are probably not thirty of the whole number pursuing a regular university course. This is indeed a very small number. But of the whole number of students, one hundred and three are from Iowa City, and of the remainder, fourteen are from Johnson county, and only seven from other counties in the State. Thirty students may be a small number for a whole State, but it is sufficiently large for a single city. We come, then, to this result,—that the benefits of the University are almost exclusively confined to Iowa City. This is not the fault of the people of that city. The University is established there by law, and they avail themselves of the advantages it affords them, as they have a right to do, by sending their sons and daughters there to be educated. We have a University munificently endowed, with able and faith-

ful Professors; yet, our young men are obliged to resort to other States to obtain a classical education: and the reason is this, we have made no provision to accommodate them with suitable rooms for study. It costs a young man seeking a liberal education, more to procure board and a suitable room for study in Iowa City, than his whole education would cost in most of the colleges in other States. But let there be a suitable building erected to accommodate students with rooms, a liberal education may be acquired with as little expense here, as in any college in the United States. Other States have been obliged, not only to build such edifices for their colleges, but also to endow them. The United States have endowed our University with a liberal fund, and erected for the State an edifice, now in the possession of the University, which will furnish rooms for the philosophical apparatus, chemical laboratory, library, and for recitation. It now remains only for the State to defray the expense of erecting the proposed building. It is indispensable that this should be done, in order that the people of the whole State may participate in the advantages of the University; if not, it must become a local institution, devoted to the education of the boys and girls of Iowa City. This subject has given the trustees of the University much concern. The constitution does not permit the use of the permanent fund for any such purpose, and it requires them to appropriate the interest, annually, to the support of the University; and, accordingly, the interest has, annually, been appropriated for the payment of the salaries of the Professors, the purchase of apparatus, and books for the library. A scheme was proposed to the trustees for the erection of such an edifice, by taking the money from the University fund, thereby evading the provision of the constitution, and diverting a portion of the interest of the fund from its legitimate purposes. But the Board were unanimously of the opinion, that it would be discreditable to the State, and, with the same unanimity, resolved to ask the General Assembly to make an appropriation for the erection of a college edifice sufficiently spacious to accommodate one hundred students. It is estimated that such an edifice would cost twenty thousand dollars.

I have now exhibited, in an imperfect manner, the condition of the State University and public schools, and of the funds appropriated to each. On entering upon the discharge of the duties of this office, at the threshold, I discovered the futility of any efforts,

on my part, to improve the condition of our schools without a radical amendment of the law. This subject, therefore, early occupied my attention. I here submit the result of my reflections to the wisdom of the Legislature. In preparing a law for the education of future generations, I ought not, nay, I could not, keep out of view the rising glories of the State. There are many young men in the present General Assembly, who will live to behold dwelling on the wide prairies of Iowa, a people as numerous as the population of England, when the fleet of Elizabeth vanquished the invincible Armada, or the inhabitants of the whole territory of this confederacy, when the illustrious Washington drew the sword to achieve the independence of his country. The greatness of this State, in wealth and population, is inevitable. Our moral and intellectual grandeur depend upon ourselves, and, in a great degree, upon the legislation of this session, and the appropriations, scanty or liberal, which may be made for institutions for the promotion of learning and virtue.

MATURIN L. FISHER,
Superintendent of Public Instruction.

APPENDIX.

OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION, }
IOWA CITY, June 10th, 1857. }

SIR:

I have received your letter asking information and advice, respecting the Apportionment of School Money, (with the accompanying instructions, dated March 14th, 1857,) made by JAMES D. EADS, claiming to act as Superintendent of Public Instruction, and the letter of JOSEPH C. STONE, also claiming to act in the same capacity, countermanding the Apportionment and Instructions of Mr. EADS.

Mr. EADS came into the office of Superintendent of Public Instruction by a good title, and at the date of the Apportionment, was in possession of the office, denying the right of Mr. STONE to it, and actually discharging its duties. I do not mean to express any opinion as to the *right* of either of these gentlemen to the office in question; but admitting the right of Mr. STONE, under the appointment of the Governor, he could not, on the refusal of Mr. EADS to surrender the office to him, enter upon the discharge of its duties and require the obedience of School Fund Commissioners to his instructions, without first enforcing his right and admission to the office by the judgment of the proper judicial tribunal. This Mr. STONE has not done, and has never been in possession of the office. Mr. EADS was Superintendent of Public Instruction *in fact*, and where the right to an office is in controversy, the acts of the holder of the office *in fact*, are, in general, valid and binding on other officers in the same department.

It is, therefore, my opinion, that it is the duty of School Fund Commissioners to distribute the School Money according to the Apportionment sent to them by Mr. EADS; and, that School Fund Commissioners upon whom drafts were made by Mr. EADS, for the purpose of carrying into effect that Apportionment, should pay them promptly on presentation.

I am with great respect,

Your obedient servant,

MATURIN L. FISHER.

TABLE A.

An Abstract of the Reports of School Fund Commissioners, for the period commencing Nov. 1st, 1856, and ending October 31st, 1857, as shown by the following Tables marked A and B.

COUNTIES.	No. of Organized Districts.	No. of Persons between 5 and 21 years of age.	No. of District Schools.	No. of Pupils in Schools.	No. of Teachers employed.		Average compensation of Teachers per month.		Number of days Schools have been taught.	No. of volumes in Library.
					Male.	Female.	Male.	Female.		
Adair, ...	8	264	2	87	2	2	\$19 00	\$13 50	94	72
Adams, ...	10	404	9	224	5	6	21 00	17 68	658	
Alamakee, ...	77	3,100	49	2,905	25	28	20 17	13 79	3,486	
Appanoose, ...	84	4,260	67	2,680	36	23	21 00	13 50	4,540	
Audubon, ...	3	68	1	27		1		10 84	72	
Butler, ...	24	872	17	354	8	8	30 26	14 70	1,005	
Benton, ...	59	2,446	47	1,142	22	24	22 98	11 69	1,260	
Bremer, ...	35	1,314	22	491	7	18	24 57	11 68	1,515	
Boone, ...	31	1,366	26	599	12	12	20 52	10 80	1,192	
Black Hawk, ...	40	1,861	27	727	11	19	24 05	12 09	1,710	
Buchanan, ...	37	1,753	26	946	12	17	24 42	10 50	1,712	
Calhoun, ...										
Carroll, ...	4	92	1	19		1		17 50	65	
Cass, ...	5	301	5	156	6	7	16 85	12 00	371	
Cedar, ...										
Cerro Gordo, ...	24	326	11	233	8	8	25 50	10 50	533	
Chickasaw, ...										
Clayton, ...	93	5,147	72	2,064	46	47	19 71	9 72	5,788	

TABLE A.—CONTINUED.

COUNTIES.	No. of Organized Districts.	No. of Persons between 5 and 21 years of age.	No. of District Schools.	No. of Pupils in Schools.	No. of Teachers employed.		Average compensation of Teachers per month.		Number of days Schools have been taught.	No. of Volumes in Library.
					Male.	Female.	Male.	Female.		
Clinton,.....	71	4,515	51	1,340	24	36	\$20 92	\$10 05	3,591	
Crawford,.....	4	80	1	28	1		28 00		72	
Clarke,.....	41	1,682	25	367	11	10	25 51	13 51	1,111	
Dallas,.....	41	1,590	27	487	15	11	26 33	11 90	1,141	
Davis,.....	89	5,565	94	3,167	67	27	24 50	14 00	5,485	
Decatur,.....	52	2,611	32	1,099	20	16	24 24	11 92	2,299	
Delaware,.....	65	3,161	36	1,453	28	51	23 07	9 44	4,853	186
Des Moines,.....	74	6,973	72	2,280	61	36	25 92	14 26	4,657	
Dubuque,.....	68	9,548	70	3,234	48	59	27 35	9 89	6,742	
Fayette,.....	68	3,297	63	2,015	30	43	20 77	10 59	5,424	
Floyd,.....	31	1,032	16	386	7	14	22 77	11 21	1,192	
Franklin,.....	9	263	7	195	3	4	21 67	15 25	295	
Fremont,.....	27	1,399	24	668	14	12	26 81	16 75	1,496	
Greene,.....	16	438	6	185	3	5	29 00	13 40	118	
Grundy,.....	10	157	5	22	1	3	27 53	10 00	257	
Guthrie,.....	14	809	16	426	6	9	23 42	14 04	748	
Harrison,.....	16	537	11	259	4	8	26 00	12 50	740	
Henry,.....	78	6,148	108	2,990	57	57	25 47	13 38	7,139	40
Hardin,.....	37	1,622	26	884	8	20	26 87	16 86	1,351	
Hamilton,.....	4	471	6	162	3	4	30 33	16 75	345	

Howard, ...	27	904	11	250	5	7	19 00	11 29	610	130
Humboldt, ...	3	98								
Iowa, ...	51	2,270	41	840	19	24	23 24	12 48	2,383	45
Jackson, ...	102	6,282	105	2,414	57	71	22 48	10 62	8,043	6
Jasper, ...	50	2,136	45	1,094	21	27	23 01	11 93	1,569	144
Jefferson, ...	81	5,815	70	3,474	61	42	24 69	13 75	6,599	
Johnson, ...	79	5,519	62	2,301	35	43	24 64	11 45	5,379	
Jones, ...	81	3,905	62	1,133	33	31	21 64	10 13	1,953	
Keokuk, ...	77	4,734	79	1,920	54	33	23 04	11 16	5,333	
Kossuth, ...	4	156	2	52		2		20 00	91	
Lee, ...	99	11,244	119	3,308	65		26 40	13 51	6,869	
Linn, ...	102	6,422	72	2,716	57	54	23 48	11 33	6,771	
Louisa, ...	56	3,652	48	1,154	27	28	27 99	16 08	2,871	
Lucas, ...	35	1,655	24	525	15	11	22 70	13 71	1,862	
Madison, ...	42	2,182	38	1,020	25	17	24 34	11 94	2,147	
Mahaska, ...	66	3,676	64	1,675	39	28	26 06	10 85	3,599	
Marion, ...	84	6,076	88	2,293	52	35	23 02	10 75	2,721	
Marshall, ...	46	1,841	22	688	12	16	25 94	11 50	1,652	
Mills, ...	25	1,314	28	719	13	11	26 00	15 60	1,412	
Mitchell, ...										
Monroe, ...										
Monona, ...	58	2,976	42	1,157	26	14	23 62	13 14	1,974	
Montgomery, ...	8	232	1	22	1		27 50		100	
Muscatine, ...	52	4,132	41	1,854	30	20	30 01	11 34	2,844	
Page, ...	24	1,198	15	478	8	5	25 93	20 67	775	
Poik, ...	47	3,450	48	1,300	31	19	25 50	13 58	1,685	
or Pottawattamie	15	1,123	12	367	5	8	28 40	17 37	664	
Poweshiek, ...	38	1,910	37	684	18	18	26 59	13 33	1,332	
Ringgold, ...	16	487	7	125	3	4	23 27	11 00	413	

TABLE A.—CONTINUED.

COUNTIES.	No. of Organized Districts.	No. of Persons between 5 and 21 years of age.	No. of District Schools.	No. of Pupils in Schools.	No. of Teachers employed.		Average compensation of Teachers per month.		Number of days Schools have been taught.	No. of Volumes in Library.
					Male.	Female.	Male.	Female.		
Scott	81	7,035	72	2,885	47	44	\$30 82	\$14 13	5,981	
Shelby	2	190								
Story										
Sac, ...										
Tama, ...										
Taylor, ...	22	953	11	256	6	3	24 22	8 00	297	
Union, ...	14	579	7	257	6	4	22 67	9 58		
Van Buren, ...	100	6,750	136	3,314	80	51	20 71	11 33	5,830	
Wapello	87	5,902	96	2,722	60	37	24 84	18 12	5,265	
Washington, ...	48	2,892	38	783	21	13	22 45	14 38	1,496	
Warren, ...	79	4,526	•							
Wayne, ...	41	1,738	31	566	15	14	24 52	10 45	1,341	
Webster, ...	16	746	10	277	3	8	31 00	16 50	583	
Winnesheik, ...	52	2,885	42	645	15	32	24 48	10 63	2,648	
Woodbury, ...										
Wright, ...	6	188	4	101	1	4	16 00	16 00	337	
Worth, ...										
Grand Total, ...	3,265	195,285	2,708	79,670	1,572	1,424			168,276	

"B."

COUNTIES.	Aggregate amt paid teachers during the year, and the source from which the same was received.		Am't of Teachers' Funds in the hands of Treasurers.	Cost of District School Houses.	No of district school houses, and of what material constructed.				Amounts raised in districts during the year by tax, and for what purpose.		Library.
	Teachers' Fund.	Voluntary Subscription.			Brick.	Stone.	Fram.	Log.	Erection of school houses.	Contingent expenses.	
Adair.....	\$207 00		\$78 05		...	...		1	116 08	.....	
Adams,.....	374 13	\$116 11	183 40	276 00				4	.....	12 20	
Alamakee,....	2,385 15	1,109 87	436 89	12,653 25	1	1	23	12	3,312 10	383 27	
Appanoose,...	964 46	1,433 22	233 65	8,496 00	2		17		50 00	140 08	
Audubon,.....	60 90	70 83	70 26	1,200 00			2		442 52	6 00	
Butler,.....	306 10	500 27	141 73	3,735 00		1	6	3	1,633 40	247 47	
Benton,.....	2,069 52	353 28	416 10	7,775 00	1		17	15	4,495 94	345 60	400 00
Bremer,.....	983 88	537 68	102 13	4,190 00		3	4	4	1,600 00	166 00	
Boone,.....	1,191 00	169 94	396 59	855 50			1	14	672 50	85 20	
Black Hawk,...	1,106 34	1,037 14	572 24			1	7	10	2,980 48	798 91	
Buchanan	818 56	628 28		5,484 08	1	1	6	4	3,540 08	373 00	
Calhoun,.....	.....				...	...	...	...	.....	.....	
Carroll,.....	52 50			400 00			2	...	54 28	.....	
Cass,.....	345 00	40 00	36 00	2,065 00		1	2		2,065 00	38 00	
Cedar,.....											
Cerro Gordo, .	392 00	60 00	349 41	5,600 00		2	2		1,150 00	19 75	
Chickasaw,...											
Clayton,.....	2,347 06	1,717 12	555 25	17,194 15	6	5	25	22	2,834 04	359 36	
Clinton.....	2,500 00	980 00	506 00	10,980 00	6	2	30	9	2,543 00	180 00	
Crawford,....		84 00		375 00	...	...	1	1	.....	.....	
Clarke,.....	576 22	220 37	669 59	2,400 33			14		381 73	200 50	
Dallas,.....	1,216 42	482 55	252 42	4,194 87			12	6	1,381 16	142 50	
Davis,.....	3,606 63	3,354 34	1,108 90	8,310 50	3		26	34	3,788 24	464 18	

TABLE B.—CONTINUED.

COUNTIES.	Aggregate amt paid teachers during the year, and the source from which the same was received.		Am't of teachers' funds in the hands of Treasurers.	Cost of District school houses.	No. of district school houses, and of what material constructed.				Amount raised in districts during the year, by tax, and for what purpose.		Library.
	Teachers' Fund.	Voluntary Sub.			Brick	Stone	Fram.	Log.	Erection of school houses.	Contingent expenses.	
Decatur,.....	1,361 99	905 39	607 53	5,821 72	1		3	25	1,491 41	264 90	
Delaware,.....	2,034 28	1,491 18	380 13	10,316 65	6	1	31	11	2,820 25	112 68	4 50
D s Moines,..	5,488 94	3,037 08	2,720 39	34,464 00	22	4	29	12	3,205 52	274 56	
Dubuque,.....	9,544 53	1,339 97	4,875 47	81,007 00	8	3	21	16	921 23	619 22	30 00
Fayette,.....	2,225 21	1,813 31	561 65	8,333 74	1	1	18	24	3,235 49	359 00	
Floyd,.....	750 88	338 33	569 95	2,955 00		1	4	1	1,595 53	11 75	
Franklin,.....	302 59	42 50	173 96	220 00				2	.....	.....	.....
Fremont,.....	1,156 46	592 01	528 22	2,600 96	1		5	8	.....	481 29	
Greene,.....	126 60	125 00	579 68	1,135 85			2	1	1,255 00	70 00	
Grundy,.....	84 50	.....	49 65	.....	.....	.....	.....	.....	370 00	.....	.....
Guthrie,.....	589 43	274 55	332 73	3,522 21	1		10		1,159 92	3 25	
Harrison,.....	81 00	183 20	84 27	1,674 00			4	4	.....	.....	.....
Henry,.....	4,459 88	3,278 50	1,654 13	20,331 00	10		55		4,622 04	434 97	
Hardin,.....	838 75	802 14	293 01	4,576 00	1	2	3	7	1,492 04	230 00	
Hamilton,.....	277 00	36 77	186 67	1,643 00				6	142 00	8 50	
Howard,.....	266 05	261 13	113 53	1,200 00	1			2	1,100 00	12 65	
Humbolt,.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Iowa.....	1,966 70	757 16	789 55	8,599 45	2	1	20	7	6,075 09	407 14	29 00
Jackson,.....	3,620 62	2,620 65	667 57	19,726 58	9	1	40	27	1,259 90	1,667 82	
Jasper,.....	2,397 80	759 55	924 27	10,588 50	2		23		2,497 05	172 98	
Jefferson,.....	4,447 07	2,363 92	1,458 10	6,452 00	5		28	32	1,063 13	860 25	
Johnson,.....	4,901 21	2,293 06	2,328 28	20,158 00	6		38	10	4,232 44	944 14	
Jones,.....	1,490 64	1,401 47	298 71	3,529 00			16		492 00	18 00	

Keokuk,.....	3,388 06	1,992 62	787 99	10,940 00	2	1	22	28	3,430 58	239 33
Kossuth,.....	41 45	39 55	34 04	.....	.....	.....	.....	.....	.....	.....
Lee,.....	6,685 42	2,652 23	940 15	2,036 62	.....	.....	.....	.....	2,036 62	886 75
Linn,.....	2,789 07	3,541 33	910 50	25,210 00	11	3	31	16	6,556 59	745 00
Louisa,.....	1,395 21	1,879 75	190 50	15,009 58	5		24	5	263 97	205 75
Lucas,.....	1,129 37	465 95	386 35	3,431 00	1		8	11	1,507 00	64 25
Madison,.....	1,794 38	909 80	560 78	4,870 08		1	26		1,958 60	53 57
Mahaska,.....	1,959 76	1,983 02	808 35	8,521 77	4		20	26	2,975 68	560 18
Marion,.....	3,724 37	1,683 41	1,668 55	9,016 00	6		24	31	2,272 43	373 68
Marshall,.....	978 47	705 50	1,024 46	3,901 00			12	7	4,767 80	129 41
Mills,.....	806 81	340 10	438 71	5,274 15	2	..	6	10	2,426 58	474 28
Mitchell,.....										
Monona,.....										
Monroe,.....	1,359 00	1,074 94	990 58	6,075 00	2	2	17	13	1,758 72	206 00
Montgomery, .	101 00	.....	154 28	.....	.....	.....	.....	1	.....	.....
Muscatine,...	3,979 53	1,896 93	938 81	6,336 67	5	00	24	2	2,151 57	349 30
Page,.....	761 58	312 20	746 01	755 00			2	9	219 00	62 00
Polk,.....	1,923 40	1,663 74	529 93	15,504 00	3		20	6	4,583 77	257 60
Pottawattamie	955 00	41 00	416 62				6		938 28	201 75
Poweshiek,...	603 76	2,216 15	269 37	6,393 63	1		9	5	5,115 08	203 25
Ringgold, ...	277 63	78 68	93 38	200 00	.....	.....	1	...	.....	139 00
Scott,.....	8,528 75	1,457 55	2,928 09	45,790 80	12	4	39		20,201 97	1,506 93
Shelby,.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Story,.....										
Sac,.....										
Tama,.....										
Taylor,.....	164 45	59 55	698 34	2,917 00			5	3	1,107 00	95 67
Union,.....	369 00	100 00	354 07	2,255 00			6		1,537 92	59 41
Van Buren,...	5,035 43	2,039 48	742 97	26,457 55	12	3	74		2,255 48	576 70

Wapello,.....	4,121 58	4,468 67	689 15	7,225 58	2 1 11 14	2,670 96	391 64
Warren,.....	1,204 05	828 96	271 86	7,102 00	2 22	2,282 99	185 20
Washington,...	.....	.....	.....	.....	.....	.....	.....
Wayne,.....	942 62	442 72	1,244 44	1,208 00	1 5 7	28 53	41 15
Webster,.....	367 50	36 00	201 39	1,734 64	5	36 00	.....
Winnesheik,..	1,769 55	262 88	584 62	7,235 00	1 1 25	2,252 03	283 35
Woodbury,...	.....	.....	.....	.....	.....	.....	.....
Wright,.....	286 60	.....	100 00	505 00	2	307 00	.....
Worth,.....	.....	.....	.....	.....	.....	.....	.....
Total,....	\$126,357 77	\$71,784 58	\$45,990 35	\$571,063 91	168 47 936 535	\$146,703 74	\$19,206 28 \$463 50

STATEMENT "C."

Sale of School Lands, as reported by School Fund Commissioners.

Counties.	Number of Acres.	Cash.	Credit.
Section 16 500,000 acr's			
Adair, ...	1,107.78	\$786 25	\$616 25
Audubon, ...	120	256 25	368 75
Benton, ...	160	50 00	150 00
Boone, ...	1,240	1,070 95	3,212 85
Black Hawk, ...	1,280	2,570 50	7,711 50
Cerro Gordo, ...	400	757 50	1,922 50
Decatur, ...	940	760 1,129 00	3,388 00
Fayette, ...	4,320	4,559 00	13,077 00
Floyd, ...	2,720	2,106.66 4,813 33	8,340 00
Franklin, ...	760	714 07½	2,140 72
Greene, ...	640	120 418 00	1,244 00
Guthrie, ...	160	120 00	360 00
Hardin, ...	720	690 50	2,081 56
Iowa, ...	320	170 00	510 00
Kossuth, ...	960	644 00	1,932 00
Mills, ...	1,200	1,932 25	4,956 75
Montgomery, ...	1,200	730 00	2,080 98
Page, ...	4,840	5,112 90	15,338 70
Poweshiek, ...	320	10,309.29 8,855 67½	26,567 02½
Ringgold, ...	8,510	5,976 82½	14,956 37½
Total	30,490	14,723.73 \$41,339 00½	\$110,954 96

CATALOGUE

OF THE

STATE UNIVERSITY OF IOWA,

FOR THE YEAR 1856-'57.

IOWA CITY, IOWA.

TRUSTEES OF THE STATE UNIVERSITY.

HON. MATURIN L. FISHER,

Superintendent of Public Instruction and President of the Board.

HIS EXCELLENCY JAMES W. GRIMES,

Governor, Trustee *ex-officio*.

MOSES J. MORSMAN, M. D., Vice President.

HON. ELIJAH SELLS, Secretary.

H. W. LATIROP, Treasurer.

E. C. LYON,

EDWARD CONNELLY,

P. L. LAKE, M. D.,

LAUREN DEWEY,

THOMAS FARMER,

E. C. BIDWELL,

HON. AMOS WITTER, M. D.,

“ LINCOLN CLARK,

JOHN W. RANKIN,

H. D. DOWNEY,

HON. SAMUEL J. KIRKWOOD,

“ WM. P. DAVIS, M. D.

FACULTY.

AMOS DEAN, L. L. D., CHANCELLOR,

And Professor of History.

HENRY S. WELTON, A. M.

Professor of Ancient Languages.

JAMES HALL, A. M.,

Professor of Natural History.

JOSIAH D. WHITNEY, A. M.,

Professor of Chemistry.

REV. J. M. STONE, A. M.,

Professor Natural Philosophy.

FREDERICK HUMPHREY, A. M.,

Professor of Mathematics.

EDWARD BONDELI,

Teacher of Modern Languages.

D. FRANKLIN WELLS, A. B.,

Professor of Theory and Practice of Teaching.

E. M. GUFFIN, A. M.,

Principal of Preparatory Department.

CATALOGUE OF STUDENTS.

MALES.	RESIDENCE.	MALES.	RESIDENCE.
Allen, Wm. T.,	Iowa City.	Magill, Marion M.,	Iowa City.
Aylsworth, L. Parker,	"	Maynard, Henry H.,	North Liberty.
Borland, John W.,	Pleasant Valley.	McCullough, Matt.,	Iowa City.
Borland, Charles D.,	Iowa City.	McCullough, Geo.,	"
Borland, Wm. D.,	Pleasant Valley.	McCullough, Henry B.,	"
Oallow, John C.,	Iowa City.	McCullough, Wm.,	"
Cary, John L.,	"	Morsman, Edgar,	"
Coast, Wm. P.,	"	Morsman, Westal W.,	"
Clark, Horace S.,	"	Murphey, J. H.,	Green.
Cutler, J. P.,	"	Morrison, Robert,	Iowa City.
Conard, Willis,	"	Murray, W. B.,	"
Cole, Dexter N.,	Honey Creek.	Murray, Albert,	"
Culbertson, John N.,	Princeton.	Patton, Justin M.,	"
Dana, Eugene C.,	Iowa City.	Patterson, John,	Green.
Denison, Gordon A.,	"	Phillips, Levi E.,	Liberty.
Duncan, Wm. H.,*	"	Pinney, Charles F.,	Iowa City.
Dull, Louis P.,	"	Picard, Wm.,	"
Detwiler, Anthony L.,	"	Porter, John W.,	"
Detwiler, Jacob H.,	"	Sanxay, Theodore F.,	"
Ferguson, Felix H.,	"	Sanxay, James P.,	"
Foster, Henry B.,	"	Samson, Andrew T.,	"
Fyffe, John C.,†	"	Sale, Timothy H.,	"
Fairall, Herman H.,	Grantsville, Md.	Shearer, Melville M.,	"
Hampton, Geo. S.,	Iowa City.	Shearer, James S.,	"
Hampton, Richard M.,	"	Smith, Dexter P.,	"
Hatch, Geo. W.,	"	Smith, Cyrus R.,	"
Hand, Geo. W.,	"	Smith, Geo. W.,	"
Hazzard, Wm. S.,	Solon.	Smith, Everett L.,	"
Hireen, Jas.,	Iowa City.	Smith, Julius A.,	"
Hoops, Evan T.,	"	Smith, Charles W.,	"
Hughes, Ellis,	"	Stone, Augustus G.,	"
Hutchinson, Zella W.,	"	Seaman, A. J.,	"
Holt, Nelson R.,	"	Talbott, Elisha H.,	"
Hawkins, James O.,	"	Teesdale, Robert,	"
Hams, Joseph H. H.,	"	Thayer, Benj. F.,	West Liberty.
Jenkins, Louis,	"	Vogt, George,	Minnesota,
Jenkins, Albert,	"	Wheeler, Henry C.,†	Davenport.
Knight, W. T.,	Moscow.	Wood, Cornelius H.,	Iowa City.
Kauffman, John W.,	Iowa City.	Wood, Wilberforce,	"
Lake, John E.,†	"	Weber, Frederick,	"
Lake, Constant S.,	"	White, James,	"
Lee, Oscar B.,	"		
Lyon, Casson,	"		
		Total, 83.	

FEMALES.	RESIDENCE.	FEMALES.	RESIDENCE.
Aylsworth, C. H.,	Iowa City.	Kirkham, Olive J.,	Clear Creek.
Berger, Sarah A.,	"	Mahan, Lucie D.,	Iowa City.
Borland, Martha J.,	"	Moore, Ellen H.,	"
Borland, Addine H.,	Pleasant Valley.	Moore, Eliza J.,	"
Borland, Jessie M.,	Iowa City.	Morton, Margaret E.,	"
Bradshaw, Mary J.,	"	Morsman, Louise,	"
Buttles, Mallie,	"	Pinney, Annis A.,	"
Cartwright, Sarah J.,†	"	Porter, Matilda E.,	"
Connelly, Annie B.,	"	Raymond, Mary L.,	"
Connelly, Mary A.,	"	Shockey, E. O.,	"
Deuel, Helen,	"	Schell, Mary C.,	"
Davis, Lucy A.,	Cedar Rapids.	Stone, Amanda C.,	"
Green, Mary A.,	Iowa City.	Sherman, Ester C.,	Scott.
Guffin, Mary R.,	Liberty.	Swan, Ella A.,	Iowa City.
Hart, Isabel,	Iowa City.	Talbott, Ann P.,	"
Hart, Antoinette,	"	Thompson, Sylvia M.,	"
Hart, M. Emma,	"	Trotter, Isadora,	"
Humphrey, Elizabeth,	Windham.	Ward, Martha A.,	"
Hutchinson, Julia E.,	Iowa City.	White, Frances A.,	"
Jenkins, Sarah H.,	"	Zimmerman, M. A.,	Scott.
Jones, Harvenna,	"	Total, 41.	

Whole number males, - - - - - 83

Whole number females, - - - - - 41

Total, - - - - - 124

*Deceased. †Suspended.

CATALOGUE OF DEPARTMENTS.

PREPARATORY DEPARTMENT.

MALES.

Borland, W. D.
Borland, J. W.
Borland, C. E.
Cary, J. L.
Coast, W. P.
Cole, D. M.
Culbertson, J. C.
Detwiller, A. N.
Detwiller, Jacob H.
Duncan, W. H.
Dull, L. P. P.
Dennison, G. A.
Ferguson, Felix H.
Foster, H. B.
Fyffe, J. C.
Hampton, R. M.
Hand, George.
Hatch, Geo. W.
Hazard, W. S.
Hoops, E. T.
Hutchinson, Zella.
Ijams, Joseph H. H.
Jenkins, L.
Jenkins, Albert.
Kauffman, John W.
Lake, Constant L.
Lee, Oscar B.

Lyon, Casson.
McCullough, George.
McCullough, H. B.
Magill, Marion M.
Morseman, Westel W.
Murray, A. F.
Murray, Wm. B.
Sale, Timothy F.
Samson, A. F.
Sanxay, T. F.
Sanxay, R. J.
Seaman, A. J.
Shearer, M. M.
Shearer, James S.
Smith, Julius.
Smith, E. L.
Smith, Geo. W.
Smith, D. E.
Smith, C. R.
Smith, C. W.
Talbot, E. H.
Teesdale, R.
White, James W.
Wheeler, Henry C.
Woods, Wilberforce.
Hawkins, James O.

TOTAL, 53.

FEMALES.

Bradshaw, Mary,
Connelly, Mary A.
Connelly, A.
Hart, M. E.
Hart, J. A.
Hutchinson Julia.
Jones, Harvena.

Kirkham, O. J.
Mahan, L.
Morsman, L.
Porter, M. E.
Raymond, M. L.

TOTAL, 12.

II.—NORMAL DEPARTMENT.

MALES.

Aylsworth, Parker L.
 Allen, Wm. P.
 Callow, J. C.
 Conrad, Willis.
 Cutler, Jonathan P.
 Holt, N. K.
 Hoops, E. T.
 Knight, Wm. T.

Maynard, H. H.
 Morrison, R.
 Patton, J. M.
 Phillips, Levi M.
 Pinney, C. F.
 Sampson, A. T.
 Thayer, Benj. F.
 TOTAL,

15

FEMALES.

Aylsworth, C. H.
 Berger, S. A.
 Borland, A. H.
 Borland, M. J.
 Bowen, Jessie M.
 Clark, Augusta.
 Davis, Lucy A.
 Denel, Helen J.
 Green, Mary A.
 Guffin, Mary R.
 Humphrey, E. S.
 Jenkins, S. H.
 Moore, Eliza J.

Moore, Ellen H.
 Pinney, Annis A.
 Schell, Mary C.
 Sherman, E. A.
 Shockey, E. O.
 Swan, Ella A.
 Talbott, Ann P.
 Thompson, S. M.
 Trotter, Isadora.
 Ward, Martha J.
 White, Frances A.
 Zimmerman, M. A.
 TOTAL,

25

III.—DEPARTMENT OF ANCIENT LANGUAGES.

MALES.

Borland, J. W.
 Coast, W. P.
 Culbertson, J. N.
 Detwiler, A. N.
 Duncan, Wm. P.
 Fairall, H. H.
 Hampton, G. S.
 Hawkins, J. O.
 Ijams, J. H. H.
 Lake, J. E.
 Lake, C. S.
 Lee, O. B.

Murphey, J. H.
 McCullough, M. S.
 McCullough, H. B.
 Porter, J. W.
 Sanxay, T. F.
 Shearer, M. M.
 Stone, A. G.
 Talbott, E. H.
 Teesdale, R.
 Weber, F.

TOTAL,

22

FEMALES.

Bowen, J. M.	Hart, M. A.	
Cartwright, S. J.		
Hart, J.	TOTAL,	4

IV.—DEPARTMENT OF MODERN LANGUAGES.

MALES.

Allen, W. P.	Murray, Wm. B.	
Detwiler, A. N.	Smith, D. E.	
Detwiler, J. H.	Talbott, E. H.	
Hawkins, J. O.	Thayer, B. F.	
Morsman, E.		
Morsman, W.	TOTAL,	10

FEMALES.

Buttles, M.	Moore, E. H.	
Cartwright, S. J.	Porter, M. E.	
Hart, M. A.	Talbott, A.	
Mahan, L.		
Morsman, L.	TOTAL,	8.

V.—DEPARTMENT OF MENTAL PHILOSOPHY.

MALES.

Cutler, J. P.	Phillips, L. M.	
Murphy, J. H.	TOTAL,	3.

FEMALES.

Aylsworth, C. H.	Pinney, A.	
Green, M. A.	Trotter, J.	
Hart, M. A.	Ward, M. A.	
Humphrey, E. S.	TOTAL,	7

VI.—MATHEMATICAL DEPARTMENT.

MALES.

Allen, Wm. P.
 Aylsworth, Levi P.
 Borland, Charles E.
 Callow, John C.
 Coast, Wm. P.
 Connard, Willis P.
 Detwiler, Antony.
 Fairall, H. H.
 Hampton, Geo. S.
 Hawkins, J. O.
 Lake, C. S.
 Lake, John E.

McCullough, M. S.
 McCullough, Wm. C.
 Morrison, R.
 Morsman, Edgar.
 Murphy, J. H.
 Phillips, L.
 Porter, J. W.
 Smith, D. Edson.
 Stone, Augustus.
 Weber, Frederick.
 Wood, C. H.
 Total,

23

FEMALES.

Aylsworth Cellina H.
 Buttles, M. A.
 Deuel, H. J.
 Green, M. A.
 Hart, Isabel.

Humphrey, E. S.
 Pinney, A.
 Stone, Amanda.
 TOTAL,

VII.—DEPARTMENT OF NATURAL PHILOSOPHY.

MALES.

Borland, J. W.	Lake, C. S.	
Borland, C. E.	Maynard, H.	
Cary, J. L.	Morrison, R.	
Culbertson, J. N.	Patton, J. M.	
Cutler, J. P.	Patterson, J.	
Duncan, W. H.	Phillips, L.	
Hatch, G.	Shearer, Melville.	
Hoops, E. T.	Smith, D. E.	
Kauffman, J. W.		
Knight, W. S.		
	TOTAL,	18

FEMALES.

Aylsworth, C. H.	Moore, E.	
Bradshaw, M. J.	Mahan, L.	
Borland, A. H.	Morsman, L.	
Bowen, J. M.	Pinney, A.	
Connelly, A. B.	Sherman, E.	
Connelly, M. A.	Shockey, E. O.	
Davis, L. A.	Stone, A. C.	
Deuel, H. T.	Talbott, A. P.	
Green, M. A.	Thompson, S.	
Guffin, M. R.	Trotter, I.	
Humphrey, E. S.	Zimmerman, M. A.	
Hart, J.		
	TOTAL,	23

SUMMARY.

Whole number during the year,.....	124
Preparatory Department,.....	65
Normal Department,.....	40
Department of Ancient Languages,.....	26
“ Modern Languages,.....	18
“ Mental Philosophy,.....	10
“ Mathematics,.....	31
“ Natural Philosophy,.....	41

STATE UNIVERSITY OF IOWA.

Preparatory Department.

E. M. GUFFIN, A. M., PRINCIPAL.

Those entering this Department, to reap the greatest possible benefit, should be well instructed in the elementary English branches—Reading, Writing, Spelling, and Mental Arithmetic, in the first exercises of Written Arithmetic; should have some knowledge of Geography and Grammar; should be of a suitable age, and sustain a good moral character.

The principal object of the Preparatory School is, to fit the student for some of the Departments in the University. In it, the chief and constant aim will be to make the pupil thoroughly efficient, as far as he goes. The course of instruction requires two years for its completion, and is sufficiently extensive and thorough to enable those who have gone through with it to enter any Department of the University. It is as follows:

FIRST YEAR.—*First Term:*Outlines of Physical Geography—*Colton and Fitch's*.English Grammar and Analysis—*Clark's*.Higher Arithmetic commenced—*Davies'*.Outlines of General History commenced—*Wilson's*.Latin Grammar and Reader commenced—*Andrews and Stoddard's*.*Second Term:*

Higher Arithmetic completed.

Latin Grammar and Reader completed.

Cæsar's Commentaries commenced—*Andrews'*.

Greek Grammar commenced—*Bullion's*.

History completed.

Book Keeping—*Mayhews*.

SECOND YEAR.—*First Term :*

Algebra commenced—*Davies*.

Cæsar's Commentaries completed.

Virgil Commenced—*Cooper's*.

Greek Grammar and Reader—*Bullion's*.

English Grammar reviewed.

Physiology—*Cutter's*.

Second Term.

Algebra to the 7th chapter of Bourdon.

Rudiments of Natural Philosophy—*Parker's*.

Virgil completed to the 5th Book of the *Æneid*—*Cooper's*.

Cicero's Orations (four)—*Bullion's*.

Xenophon's *Anabasis* (one book)—*Owen's*.

Rudiments of Chemistry.

The classical studies are optional, and may be omitted, while others are pursued. The order of some of the studies may be changed as circumstances may require.

Normal Department.

D. FRANKLIN WELLS, A. B., PROFESSOR.

The Normal Department, under the charge of the Professor of Theory and Practice of Teaching, is especially designed for the education of Common School Teachers.

The course of study and training includes all the common and higher English branches of a liberal education, together with the Theory and Art of Teaching, and Practice in the Model School. The studies are so arranged that the course can ordinarily be completed in two years.

The candidates for admission are examined in Orthography, Arithmetic, Geography and English Grammar. They must sustain

an irreproachable moral character. Both males and females will be admitted. Persons to the number of fifty, receiving certificates of appointment from the Governor, the Superintendent of Public Instruction, or any of the District Judges, will receive Instruction *free of charge*.

The members of this Department will, to some extent, be combined with classes in other Departments, when such combination can be made advantageously. They will share all the advantages enjoyed by other students of the University.

Lectures on the Science of Education and the Art of Teaching will be given frequently, and it will be the aim to make them practical. The best method of organizing, disciplining and instructing schools, and the means by which the co-operation of parents in the work of education may be secured, will be familiarly discussed.

There is connected with the Normal Department, a Model School, (or a school for practice,) composed of pupils of the ages usually found in public schools throughout the State. Each member of the Normal Department, before graduating, will be required to spend from two to four weeks in the Model School, as a teacher, where, under the superintendence of the Principal, he will have an opportunity of reducing theory to practice. By thus taking part in the administration of a well organized school, he will become familiar with the *details of teaching*, and be prepared to labor successfully after leaving the Institution. He will also learn the advantage of *method* and *system* in conducting the affairs of a school.

A diploma will be awarded to those who, having completed the prescribed course of study, give satisfactory evidence of sound and accurate scholarship, combined with those other peculiar qualifications so essential to the teacher's success.

The demand for good teachers is constant and increasing, and the advantages of this Institution are frequently offered to those who wish to prepare themselves for the high and responsible duties of instructors of youth.

Worthy teachers will be assisted in obtaining situations, and school officers will, as far as practicable, be furnish with teachers, on application to this Department.

The following is the course of study, arranged without reference

to the order in which the several branches will be taken up, or the length of time that will be devoted to each:

Orthography, including the elementary sounds of the language, Reading, Spelling, definition and Analysis of words.

Penmanship, Drawing and Book Keeping.

Geography, Physical and Descriptive.

Mathematical Geography, the Use of Globes and Map Drawing, History of the United States.

English Grammar, including Analysis and Syntheses of Sentences—*Pinneo's*.

Composition, including Rhetoric and Criticism—*Quackenbos'*.

Mental Arithmetic—*Stoddard's*.

Written Arithmetic—*Davies'*.

Higher Arithmetic—*Davies University*.

Algebra—*Davies'*

Geometry—*Davies' Legendre*.

Anatomy, Physiology and Hygiene—*Cutter's*.

Natural Philosophy—*Parker's, and Lectures*.

Moral Philosophy—*Wayland's, and Lectures*.

Mental Philosophy— “ “

Theory and Art of Teaching—*Page's, and Lectures*.

Practice in the Model School.

THE UNIVERSITY PROPER

Is organized with nine Departments. Each one of these is to be under the charge of a Professor, who is to have the special care of his Department, and to be responsible for the progress and attainments of the students therein. These Departments are

1st. DEPARTMENT OF ANCIENT LANGUAGES.

HENRY S. WELTON, A. M., PROFESSOR.

This Department affords instruction in the Latin and Greek Languages, their history, philosophy and literature, including also the general principles of philology.

Candidates for admission to this Department will be examined

in Latin and Greek Grammar, Cæsar's Commentaries, or Sallust, Cicero's Orations, (four,) six books of Virgil, and the prose of the Greek Reader. Those desiring an advanced standing will also be examined in the studies that have been pursued by the class which they wish to enter, or an equivalent.

The following is the course of study in this Department:

FIRST YEAR—*First Term.*

Livy—*Lincoln's.*

Greek Historians—*Felton's.*

Latin Prose Composition—*Arnold's.*

Greek Prose Composition—*Arnold's.*

Second Term.

Odes and Satires of Horace—*Lincoln's.*

Homer's *Illiad*—*Owen's.*

Latin Prose Composition completed.

Greek Prose Composition completed.

SECOND YEAR—*First Term.*

Horace completed.

Cicero de Amicitia et Senectute—*Thatcher's.*

Demosthenes de Corona—*Champlin's.*

Lectures on Grecian Orators.

Second Term.

Tacit. Germania et Agricola—*Tyler's.*

Juvenal.

Select Greek Tragedies—*Woolsey's.*

Lectures on the Greek Drama.

A third class will be formed for those who wish to pursue a more extended course.

The following books are recommended for reference in this Department:

Andrews & Stoddard's or Bullion's Latin Grammar.

Andrews' or Leverett's Latin Lexicon.

Anthon's Classical Dictionary.

Ramshorn's Latin Synonyms.

Findlay's Ancient Atlas; Crosby's or Bullions' Greek Grammar.

Liddle and Scott's or Pickering's Greek Lexicon; Eschenburg's Manual of Classical Literature; Smith's Dictionary of Greek and Roman Antiquities.

2d. DEPARTMENT OF MODERN LANGUAGES.

EDWARD BONDELI, TEACHER.

The subjects to be taught in this Department are,

1. The French, German and Italian Languages.
2. The Literature of these Languages, and the history of each idiom.
3. Comparative Philology, and the principles of the Science of Language.

The Text Books used in this Department are,

In German—Ahn's Method.

In French—Fasquelle's Course.

The following, also, are recommended as books of reference:

Woodbury's German Reader; Adler's German English Dictionary, and Fasquelle's French Reader.

3d. DEPARTMENT OF INTELLECTUAL PHILOSOPHY.

The subjects to be taught in this Department are,

1. Intellectual Philosophy, including the analysis, characteristics, condition and modes of action of the intellectual powers; critical review of the different systems of intellectual philosophy; eclecticism.
2. Logic—Its Elements and Applications.
3. Rhetoric—Its Theory and Practice.
4. Oratory—Its Theory and Practice.
5. The Elements of Criticism and their Applications.

Instruction in this Department has been given during the past year by Prof. STONE, of the Department of Natural Philosophy.

4th. DEPARTMENT OF MORAL PHILOSOPHY.

The subjects to be taught in this Department are,

1. Analysis of the Moral Powers, their characteristics, conditions, and modes of action.
2. Moral Philosophy, or principles of morals, including theoretical and practical ethics.
3. Critical Review of the different systems of Moral Philosophy.
4. Natural, International and Constitutional Law.
5. Principles of Political Economy, and their applications to the actual condition and progress of nations.

5th. DEPARTMENT OF HISTORY.

THE CHANCELLOR, PROFESSOR.

The subjects to be taught in this Department are,

1. The Geographical Positions of Nations, more particularly in reference to their industrial pursuits and foreign relations.
2. The outlines of their general history in reference to their representative men, their negotiations, wars, and national acts.
3. The interior history, or development of nations :
 1. In their Industry ;
 2. In their Religion ;
 3. In their Government ;
 4. In their Society ;
 5. In their Philosophy ;
 6. In their Art.

The nations more particularly brought under review are the ancient Assyrians, Babylonians, and Persians ; the ancient Egyptians ; the Arabians ; the Hebrews ; the Phœnicians ; the Grecians ; the Romans, and the different nations and peoples of modern Europe and America. The design is to familiarize the student with the principles that lie at the foundation of human progress, and with the agents, instruments, and main facts of civilization, as their successive evolutions have made them matters of history.

It is thus made a department of applied science, as it exhibits the applications of the moral and intellectual forces, as they have passed from the possible into the actual, from prophecy into history. The department thus created is entirely new, and is to be taught, as it can only be, from the want of text books, by lecture and examination ; and these are to be daily exercises.

6th. DEPARTMENT OF NATURAL HISTORY.

JAMES HALL, A. M., PROFESSOR.

The subjects to be taught in this Department are,

1. Zoology, including the philosophy of Natural History.
2. Botany, including the laws of vegetable life.
5. Mineralogy and Geology.
4. The applications of all these to agriculture.

The large collections in Mineralogy and Natural History which have been accumulating during the progress of the State Geological Survey, will shortly be arranged in the Cabinet of the University.

7th. DEPARTMENT OF MATHEMATICS.

FREDERICK HUMPHREY, A. M., PROFESSOR.

Candidates for admission to the Mathematical Department will be examined in Arithmetic, Elementary Algebra, and in the first three chapters of Robinson's Higher Algebra, or their equivalents.

In this Department, students are invariably required to demonstrate principles, and then for their application, deduce rules founded upon the demonstrations.

This method requires students to think, reason, and classify, as well as to study and memorize.

The fundamental laws of the mind, and the different methods of reasoning, are presented to students; and they are required to analyze and classify the principles of every branch studied in this Department, according to those laws and the great comprehensive principles of the science of Mathematics.

In Surveying and Civil Engineering, students will be thoroughly drilled in the use of instruments, by frequent field exercises and by exercises in draughting.

The design is to teach the *art*, as well as the *science*—to teach *land* surveying, in addition to *book* surveying. A practical knowledge of these branches must be acquired in the field—not in the recitation room.

During the past year, this Department has been furnished with a complete set of surveying and engineering instruments.

That young men may know the facilities thus afforded for pursuing these branches, practically as well as theoretically, a list of the instruments now in this Department is annexed.

LIST OF INSTRUMENTS.

Cost.

One Surveyor's Compass, with two Verniers,.....\$ 55 00

One Engineer's Transit, with vertical Circle Clamp and
tangent movement to axis of Telescope,..... 150 00

One Level, with 22-inch Telescope and Leveling Rod, 102 75

Draughting instruments, tape, chains, &c.,..... 61 30

One Sextant, manufactured by Pistor & Martin of Berlin, measuring angles of 180° , and reading to ten
seconds,..... 125 00

Total cost, at *purchase* price, as per bill,.....\$494 05

This set of instruments combines the most recent improvements

with a substantial and finished style of workmanship.

The following constitutes the course of study in this department:

FIRST YEAR—*First Term.*

Robinson's Algebra, University edition.

Loomis' Geometry, three books.

Seco d Term.

Loomis' Geometry, completed.

Review of the studies of the year.

SECOND YEAR—*First Term.*

Loomis' Logarithms, plane and spherical Trigonometry, Measurement of surfaces and solids.

Loomis's Analytical Geometry, six sections.

Second Term.

Loomis' Analytical Geometry completed.

Loomis' Conic Sections, Surveying and Navigation.

Biennial review of the studies of the course.

THIRD YEAR—*First Term.*

Loomis' Differential and Integral Calculus.

Olmsted's Astronomy commenced.

Second Term.

Olmsted's Astronomy completed.

Review of the Studies of the course.

8th. DEPARTMENT OF NATURAL PHILOSOPHY.

REV. J. M. STONE, A. M., PROFESSOR.

The subjects to be taught in this Department are,

1. Mechanics, including Statics, Dynamics, Hydrostatics, Hydraulics, and Pneumatics. Analysis of Machinery, its elements, uses, conditions and applications.
2. Electricity, Magnetism, and Electro Magnetism.
3. Acoustics.
4. Optics.
5. Meteorology.

To accomplish successfully the course of study embraced in this Department, students ought to be well grounded in Algebra, Geometry, and Trigonometry; and as preparatory to admission

into the advanced classes, they will be examined in these branches of Mathematics. The course of study, if fully pursued, will require at least two years. A valuable suit of apparatus has already been secured for the use of this Department, of which the following are a few specimens:

An Air Pump, at a cost of.....\$80 00

An Electrical Machine, at a cost of..... 70 00

A Microscope, "..... 65 00

A set of Mechanical Powers and Atwood's Machine, 65 00

Further additions to this suit will be made during the ensuing year.

The relations of every branch of study herein embraced, to the useful arts, will be carefully unfolded.

9th. DEPARTMENT OF CHEMISTRY.

JOSIAH D. WHITNEY, A. M., PROFESSOR.

The subjects to be taught in this Department are,

1. The imponderable agents.
2. The General Principles of Chemical Philosophy, Affinity, Laws of Combination, Atomic Theory, Electro-Chemical Decomposition, &c.
3. Inorganic Chemistry.
4. Organic Chemistry.
5. Application of Chemistry to Agriculture and the Arts.

A liberal appropriation has been made for supplying this Department with apparatus and chemicals; and any demands for instruction in this connection during the ensuing year will be promptly met.

CLASSIFICATION OF THE DEPARTMENTS.

The first five Departments constitute the Philosophical course of study; the last four the Scientific.

CHOICE OF DEPARTMENTS.

Every student can attend whatever department he chooses; with

the condition—that he shall attend at least three, unless he has the written authority of his parent or guardian, or the Faculty shall for good cause shown, allow him to attend a less number.

DEPARTMENTS IN OPERATION

Besides the Preparatory and Normal Department, the Trustees have opened the following Departments in the University proper, viz:—those of the ANCIENT LANGUAGES; of the MODERN LANGUAGES; of the MATHEMATICS; and of NATURAL PHILOSOPHY.—They have deemed it proper first to organize the Departments, and then to open gradually and successively, for the admission of students, such, and so many only, as the exigencies of the time require. They have organized the University for the FUTURE, as well as the PRESENT; and in that organization have been more solicitous of bestowing upon it the elements of FUTURE GROWTH than that of PRESENT PERFECTION.

AGE AND QUALIFICATIONS.

No student shall be admitted into any Department of the University proper under fifteen years of age; with the exception, that the Faculty, under the peculiar circumstances of the case, may admit under that age. If the applicant has been a student at any other incorporated institution of learning, he must produce a certificate from such institution, or other evidence satisfactory to the Faculty, testifying to his general good conduct and scholarship.

METHODS OF INSTRUCTION.

The Department of Intellectual Philosophy, Moral Philosophy, History, Natural History, Natural Philosophy and Chemistry, are to be taught exclusively by lecture and examination. The Trustees have been led to the adoption of this principle by the considerations:

1. That it must secure able Professors in each Department, as no others can possibly sustain themselves.
2. It secures a Teaching more in accordance with the actual

state and condition of science, which is, and must ever be, progressive.

3. It enables the teacher to adapt his instruction to the capacity of the student, and thus to secure his effectual progress.

4. It brings the *living mind* in direct contact with *that of the student*, and thus awakens his powers, kindles his enthusiasm, and results in a higher and more perfect culture.

5. It is the *only method* followed in the Universities on the continent of Europe, and has there been fully and satisfactorily tested and its results approved.

DEGREES.

These are four in number, and are conferred as follows:

A student who has pursued and completed any three of the first five Departments and sustained satisfactory examinations therein, will be entitled to the Degree of BACHELOR OF PHILOSOPHY.

A student who has pursued and completed any three of the last four Departments, and sustained like examinations, will be entitled to the Degree of BACHELOR OF SCIENCE.

A student who has completed the courses of study in any three Departments in the Philosophical course, and also any three in the Scientific, sustaining like examinations in each, will be entitled to the Degree of BACHELOR OF ARTS.

A student who has completed the studies embraced in the nine Departments and sustained satisfactory examinations in each, will be entitled to the Degree of DOCTOR OF PHILOSOPHY.

The Departments are designed to be so arranged as to enable students to take the Degree of BACHELOR OF PHILOSOPHY, or BACHELOR OF SCIENCE, at the close of two years; that of BACHELOR OF ARTS, at the close of four years; and that of DOCTOR OF PHILOSOPHY, at the close of six; the intention being to average the courses at two years each.

FEES AND EXPENSES—BOARD.

The fee payable to the University by each student is ten dollars per term, to be paid one half upon entering, and the remainder at the middle of the term. No other charge is made.

Board in private families may be obtained at from two to three dollars per week, and it is hoped and expected that by means of special efforts which they design to make, it may be had at still lower rates.

LIBRARY AND APPARATUS.

The aggregate value of the books and apparatus at present, is about twenty-six hundred dollars. The number of volumes in the Library is about five hundred, so carefully and judiciously selected as to be equivalent to fifteen hundred, selected as books usually are. It is the settled policy of the Board to make liberal appropriations annually for the increase of the library.

The Departments of Natural Philosophy and Mathematics have already received each a liberal supply of first-class instruments, to which, additions from time to time will be made as occasion may demand. The Preparatory and Normal Departments also have been efficiently supplied. An appropriation of several hundred dollars will be applied during the ensuing year for putting the Chemical department in working order.

RELIGIOUS WORSHIP.

The business of each day during the term is opened with Chapel exercises, which consist simply in reading the Holy Scriptures and prayer. These exercises are attended by all the students. On the Sabbath, they are expected to attend public worship at some convenient place designated by their parents or guardians. Great care is taken to shield them from the inroads of temptation and vice, and to train them in the principles and habits of virtue and morality.

LOCATION.

The University is located at Iowa City, which now numbers some ten thousand inhabitants. It is beautifully situated on the Iowa river; readily accessible by railroad from the east; surrounded by forests and rolling prairies; possessing at all times a fine

bracing atmosphere, and a climate which has ever proved mild and healthy.

CALENDAR.

The University is divided into two terms. The first commences on the **THIRD WEDNESDAY OF SEPTEMBER**, and continues for twenty weeks, closing on Friday of the twentieth week. Then occurs a vacation of one week. On **WEDNESDAY OF THE WEEK FOLLOWING**, commences the second term; which, continuing for twenty weeks, will close the University year. The annual examination will begin on the Tuesday next preceding the close of the University year, and continue one week. The commencement exercises will be held on Wednesday following the close of the year.

GENERAL REMARKS.

The Trustees have framed the State University of Iowa for a **HIGHER INSTITUTION OF LEARNING**, and when the sciences and their applications come to be fairly required they intend to be fully prepared to meet that requirement.

But while framed to furnish the loftiest style of culture, it can also adapt itself to the lowest. By its rejection of college classes, and its adoption of independent departments, it is enabled to furnish to the student just what he requires, without, at the same time, compelling him to receive much that he does not want. Ordinary colleges, by rendering classical attainments necessary to the entrance of the student, exclude many who design to fit themselves for the common pursuits of life, from their halls of learning. To this large class, those Departments of the University which require no previous classical attainment, offer a ready admission, and afford facilities for instruction. The Trustees, therefore, deem themselves fortunate in having adopted an organization, which, while it offers to college graduates a scientific course of instruction, which they cannot there obtain, can at the same time furnish to those excluded from college halls, the means of perfecting themselves in farming, mechanical, commercial and other ordinary pursuits of life.

R E P O R T
OF THE
BOARD OF TRUSTEES
OF THE INSTITUTION FOR THE
INSTRUCTION OF THE BLIND OF IOWA.

OFFICERS
OF THE
INSTITUTION FOR THE INSTRUCTION OF THE BLIND.

BOARD OF TRUSTEES.

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GEO. W. McCLEARY, *Secretary.*
ROBERT HUTCHINSON, *Treasurer.*
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R E P O R T .

The Hon. the General Assembly of the State of Iowa:

GENTLEMEN:—The seventh section of an act of the General Assembly of the State of Iowa, approved Jan. 22, 1855, entitled, “an act to amend an act entitled ‘an act to establish an Asylum for the Blind,’ ” required the Board of Trustees to make a biennial report of the condition of the Institution to the General Assembly. Since our last report, made in December, 1856, the sessions of the General Assembly have been changed, and as no session will probably be held next year, we deem it our duty to submit our report at the present session.

The Institution for the Instruction of the Blind of Iowa, established in Keokuk, in 1852, by Samuel Bacon, the present Superintendent, and adopted by the State, and removed to and established in this city on the 3d day of February, 1853, free to all the blind in the State, and supported at the expense of the State, commenced under favorable auspices; and although the attendance of pupils has not been as full as anticipated, nevertheless much good has been done for the benefit of those in attendance, who have made great progress in the various branches taught in the Institution.

For the branches of study pursued in the Institution, and trades taught, we refer to the annexed report of Samuel Bacon, Superintendent, as also much valuable information in regard to the condition of the Institution, and suggestions for the benefit thereof. We also annex a list of pupils admitted to the Institution, containing the name, residence, age, sex, place of nativity, and also the cause of blindness of each pupil; and also the date of the decease or discharge of those who have ceased to be inmates thereof.

It will be observed that there has been no increase of pupils since our last report, although two new pupils have been admitted during the year. This is owing to various causes, the greatest of

which is the reluctance of blind children to leave their homes and friends, to dwell among strangers, to attend an institution which they know but little about, and the benefits of which they do not understand, or appreciate. Another reason, perhaps, is the hardness of the times and scarcity of money; many parents of blind children being unable to clothe them suitably, or to pay their fare to the Institution. One of the pupils has died since our last report. We have a list of some thirty pupils who are said to be desirous of attending the Institution, and it is to be hoped that most of them will be in attendance the ensuing term. There is ample room in the Institution to accommodate that number in addition to those in attendance. And we desire to call the attention of members of the General Assembly to this subject, and hope that each member will visit the blind in his county or district, and explain the objects and benefits of the Institution, and exert his influence to induce them to attend and secure to themselves an education, both literary and mechanical, which will qualify them to become useful citizens, and enable them to support themselves, instead of loitering about home, not only in darkness, but in ignorance, unable to pursue any useful pursuit, a burden to their friends, or the community in which they reside.

Receipts and Disbursements of the Institution since date of last report, to-wit, from November 30, 1856, to January 1, 1858.

Balance in the treasury November 30, 1856, as shown

by our last report,.....	\$1,632 69
Auditor's warrants since received,.....	6,042 00

Total receipts,.....	\$7,674 69
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DISBURSEMENTS.

For current expenses,.....	\$2,535 75
For salaries of teachers,.....	1,981 25
For Rent,.....	600 00
	5,117 00

Balance in the treasury,.....	\$2,557 69
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We consider the annual appropriations made by the act of the 22d of January, 1855, as amply sufficient to defray the expenses of the Institution, until the General Assembly shall see fit to make a permanent location, and provide for the erection of suitable build-

ings for its use, which we beg leave to recommend to the favorable consideration of the Legislature, believing that a sum sufficient for that purpose could not be appropriated for a better purpose; and in view of the fact that the State University has been permanently located by the Constitution, whether it would not conduce to the best interests of the Institution to fix it permanently in the immediate vicinity of the University, that the advantages to be derived from the same, and a free access to its Library, might be enjoyed by the Institution for the Instruction of the Blind.

In conclusion we would beg leave respectfully to recommend the Institution to the favorable consideration of the General Assembly, and to express our entire confidence in the capacity and fidelity of the officers and teachers in the Institution, and our satisfaction with the manner in which they have discharged their duties in their respective stations.

All of which is respectfully submitted.

By order of the Board of Trustees.

ROBERT WALKER, *President.*

ATTEST:

GEO. W. McCLEARY, *Secretary of the Board.*

REPORT OF SAMUEL BACON, PRINCIPAL.

JANUARY 2, 1858.

To the Board of Trustees of the Iowa Institution for the Education of the Blind:

GENTLEMEN:—Owing to the adoption of the new Constitution, it becomes my duty to make this, the Third Biennial Report, a year sooner than formerly. The year just past is one of less prosperity to the Institution than any since its commencement, which was in the month of August, 1852, in the city of Keokuk, with three pupils, two of whom have since died—one, John Stafford, during the past vacation, at home.

The Institution was opened here, under the patronage of the State, the 4th of April, 1853, since which there have been thirty-two admissions. Accompanying this you will find their names; those that have died, or have signified their intention not to return are appropriately marked.

For the support of this Institution, nothing more is needed; it is believed that the present law will afford sufficient support for the school for any number of pupils, with the aid of suitable buildings. To this subject the attention of the Legislature has been so often invited to no purpose, that I despair of ever seeing the Institution any more conveniently situated than at present. But if the present Legislature should be more disposed to permanently locate the Institution, and make an appropriation for a building at some other place than Iowa City, it would be useless to remove the school until the building should be completed. I would therefore suggest the propriety of leasing and fitting up a building for a term of years, where we can have more yard room, in order that the pupils may have more exercise in the open air.

This Institution is free to all the blind of Iowa, of suitable age and capacity to receive instruction. Nothing is expected of them

or their friends, except to defray their travelling expenses to and from the Institution, and furnish them with suitable clothing. The term for instruction commences the first Monday in September of each year, and closes the third Saturday in June. The pupils are expected to spend their vacations at home with their friends.

The course of instruction is thorough, and as extensive as the age of the Institution will admit.

There are three Departments, Academical, Musical and Industrial, each of which has its allotted portion of time. There is ample time left for recreation. The pupils rise at half-past five, breakfast at seven, dine at half-past twelve, take tea at half-past five, retire at nine. School commences at six in the morning, and from that until half-past twelve, three hours are devoted to literary branches and two to music. Afternoon, three hours to labor; one hour in the evening is devoted to reading some useful book. The Academical course at present embraces Geography, Reading raised print, Writing, Grammar, Logic and Rhetoric, Arithmetic, Algebra and Geometry. Music embraces the theory and composition, as well as vocal and instrumental music. In the Industrial Department, the females are employed in sewing, plain and fancy knitting, and bead-work. The males are employed in broom-making.

In addition to the above course, the news of the day is read to the pupils from the various papers sent to the Institution, gratis, for which the editors have our thanks.

The discipline is mild but firm, free from corporeal punishment, keeping the improvement of the pupil constantly in view.

We know of no reason why the discipline of the blind should differ a particle from that of the seeing, on the course of instruction. The manner of conveying that instruction is necessarily different for the want of suitable apparatus; the method pursued is oral, which makes it more thorough and consequently better, but more laborious for the teacher. No sectarian views are taught, but a due reverence and respect for the Supreme Being is inculcated at all times in the Institution. If the weather will permit, all the pupils are expected to attend church on the Lord's Day.

Whenever any other test than that of suitableness is applied in the selection of officers for the Institution, it might as well be closed for all the benefit it will be to the blind, who are naturally suspi-

cious and reflective; by brooding over their wrongs, they will become worse instead of better.

Whether it will be my lot to preside over this Institution much longer is a question of time. I have labored long and hard and am weary. It has been the height of my ambition to be at the head of a well-ordered Institution, in a suitable building. But this I despair of ever seeing in Iowa, where there is so much squabbling about localities as to prevent proper legislation, and where from the recent settlement of the inhabitants, and their little knowledge of one another, it is so difficult to obtain statistics so as to increase the school as fast as desirable.

In conclusion, gentlemen, permit me to express the hope that you may remain in the Board so long as I am Principal.

SAMUEL BACON.

NEWSPAPERS FURNISHED THE INSTITUTION GRATIS.

Iowa Weekly Republican.

Maquoketa Excelsior.

Express & Herald.

National Reporter & Crescent.

Cedar Valley Times.

Voice of Iowa.

Christian Evangelist.

List of Blind in the State who have not been admitted, but who are desirous of becoming Pupils.

George Clemmer,	Monticello,	Jones County.
A. C. Lewis,	Habe,	" "
Jacob Grimer,	Sorap Creek,	Davis "
Miss Tays,		" "
Sarah E. Dickens,	Troy,	" "
Fletcher Troxell,	Hillsville,	Appanoose "
Maria Troxell,	"	" "
Robert Troxell,	"	" "
W. Young,		Decatur "
Mary E. McConneghey,		Marion "
Amelia E. Cox,		Fremont "
Martha Smith,		Clayton "
Jonathan Smith,		" "
Daughter of Barney Petticord,		" "
Jane Wilson,		Poweshiek "
Chauncey Norton,		Clinton "
George Boing,		" "
J. Brummet,		Henry "
Louisa Chinaworth,		Van Buren "
Isaac Heazel,	Amboy,	Washi'gt'n "
Isaiah Elting,	Washington,	Bremer "
Abner Fish,	Adel,	Dallas "
— Slaughter,	"	" "
Robert Moodie,	West Point,	Lee "
Girl named Horton,		Polk "

NO.	NAME OF PUPIL.	AGE	RESIDENCE.	NATIVITY.	SEX.	ADMITTED.	REMARKS.
1	James A. Gilliland,	23	Johnson County	Pennsylvania,...	Male,...	April 4, 1853,.	Inflammation from
2	Josephine Porter,..	14	" "	Indiana,.....	Female,	" 29, "	" " [accident
3	Mary Bushnell,....	17	Lee "	Iowa,.....	"	May 12, "	Died April 28, 1856.
4	William Gunn,....	17	Clinton "	Michigan,.....	Male,..	" 24, "	Inflammation.....
5	S. L. Grady,.....	17	Jefferson "	Illinois,.....	" ..	June 6, "	"
6	John Stafford,.....	24	Lee "	Ireland,.....	" ..	July 19, "	Died Sept. 6, 1857.
7	Mary Trimble,....	16	" "	Indiana,.....	Female,	Nov. 10, "	Inflammation.....
8	John Bonn,.....	12	" "	Iowa,.....	Male,..	Oct. 27, "	Congenital
9	Mary Ann Bonn,..	21	" "	New York,.....	Female,	" 27, "	"
10	John Cisna,.....	24	Des Moines "	Pennsylvania,...	Male,..	" 29, "	Small Pox.....
11	Thomas Duff,.....	8	" "	Scotland,.....	" ..	Dec. 14, "	Congenital
12	Jacob Niermier,..	10	Marion "	Netherlands,....	" ..	Dec. 24, "	Scrofula.....
13	John Ronaldson,..	21	Des Moines "	Scotland,.....	" ..	Sept. 6, 1854,.	Amarousis.....
14	Albert Terwilliger,	17	Jones "	New York,.....	" ..	Feb. 6, "	Accident.....
15	Phebe M. Caldwell,	13	Van Buren "	Pennsylvania,...	Female,	May 22, "	Scrofula.....
16	John F. Wendell,..	19	Jackson "	" ..	Male,..	Nov. 6, "	Inflammation.....
17	Eliza J. Stephens'n,	22	Keokuk "	Illinois,.....	Female,	" 11, "	"
18	John Pfoff,.....	19	" "	Indiana,.....	Male,..	" 17, "	Congenital
19	Agnes Walters,....	21	Iowa "	Ohio,.....	Female,	April 5, 1853,.	Died April, 1856..
20	A. Lett,.....	15	Cedar "	" ..	Male,..	June 28, "	Disc. Feb. 1, 1855.
21	Rhoda Bowen,....	29	Johnson "	" ..	Female,	July 26, "	Married & disc., '55
22	Wm. Adair,.....	15	Lee "	Illinois,.....	Male,..	Nov. 19, "	Disc. Feb. 1, 1855.
23	Rebecca Cameron,.	13	DuBuque "	Pennsylvania,...	Female,	Feb. 6, 1854,.	Inflammation.....
24	Wm. Draper,.....	10	Davis "	Davis Co., Iowa,.	Male,..	May 18, 1855,.	Congenital
25	L. E. Tannehill,..	7	" "	" " "	Female,	Oct. 18, 1856,.	Inflammation.....
26	Mary Ann Boak,..	25	Louisa "	Pennsylvania,...	"	" 18, "	Measles.....
27	H. D. Hollenback,.	7	Johnson "	Johnson Co., Iowa	Male,..	May 26, "	Inflammation.....
28	John Stutsman,....	16	Clinton "	Indiana,.....	" ..	Sep. 13, "	Accident.....
29	Mary Ann Ritgers,.	15	Polk "	Ohio,.....	Female,	" 19, "	Inflammation.....
30	Isaac Larue,.....	17	Benton "	" ..	Male,..	Oct. 29, "	Nervous Fever....
31	Franklin Miner,....	18	Jones "	New York,...	" ..	Sep. 2, 1857,.	Congenital

GOVERNOR'S MESSAGE,

DELIVERED TO THE

SEVENTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA.

DES MOLNES, IOWA.

J. TEESDALE, STATE PRINTER, CITIZEN OFFICE.

....
1858.

GOVERNOR'S MESSAGE.

Gentlemen of the Senate and

House of Representatives :

I congratulate you upon the continued prosperity of our state. Since you were last assembled, its population has continued to increase, and its resources of every character to be each day more and more developed. The earth has yielded liberally of its abundance, and peace, good order and happiness everywhere prevail. It becomes us to be devoutly thankful to that benign Providence, that has blessed our beloved State with another season of prosperity and happiness, and brought us to the commencement of another official year.

You are convened under the provisions of a new organic law. You are expected to provide the proper methods for carrying that law into full effect. Your labors will exercise a potent influence upon the future character and prosperity of the State. That influence will extend to a period long after the last of you shall cease to be interested in human affairs. It is not to be doubted, that you appreciate the just responsibilities of your position. It is expected that the spirit of moderation and prudence will preside over all your deliberations. It is hoped that all your legislation will be stamped with the utmost simplicity and singleness of purpose, and that you will abstain from all measures, which, from their doubtful tendency, may needlessly distract the public mind and throw it into agitation and controversy.

All the general laws of the state require some modifications to adapt them to the provisions of the new constitution. Several new acts of a general character will also be necessary. Special legislation is opposed to the true theory of a Republican government, and is the source of great corruption. The new constitution inculcates most strongly the duty of general legislation, and declares that "in

all cases where a general law can be made applicable, all laws shall be general, and of uniform operation throughout the State." It is in express terms declared, "that the General Assembly shall not pass local or special laws in the following cases :"

"For the assessment and collection of taxes for state, county or road purposes :

"For laying out, opening and working roads and highways :

"For changing the names of persons :

"For the incorporation of cities and towns :

"For vacating roads, town-plots, streets, alleys, or public squares : and

"For locating county seats."

It will be very important that the legislation on these subjects should be very full and specific.

The general election law will require very material changes, and I again submit to the General Assembly, the propriety, when revising this law, of incorporating into it provision for making a complete registration of all the legal voters in the state. In no other way can the ballot boxes be protected against fraud, and the elective franchise preserved in its purity. The argument that a registry law from its complexity would be too burdensome to be complied with, is entitled to no consideration. It is predicated upon the idea, either that the General Assembly is incapable of maturing a simple and judicious law on this subject ; or that the people of the State are incapable of comprehending and enforcing one ; neither of which suppositions can be admitted to be correct. Such laws have been in operation in several of the States ever since the foundation of the government, and have met the approval of all classes of citizens. With such a law, and with the strict and honest enforcement of the naturalization laws, we shall cease to see parties arrayed against each other on account of the birthplace of those who compose them, and every *bona fide* citizen will be secure in his just weight in the affairs of the State. Without such a law, judging from recent events, it is feared that popular elections will become a reproach.

The revenue law will also require revision, and so far as it relates to the State taxes, should be wholly changed. At present the county collectors and treasurers, although elected by the people of the several counties, are regarded in some degree as State officers.—Should they fail to make return of the State revenue as required by

law, suit is brought by the State on their official bonds. Should a defalcation occur, the State sustains the loss. This ought not to be. The county treasurers ought to be in no sense, State officers. Each county should be responsible for its proportionate amount of State revenue, and under no contingency should the State be compelled to institute suit against these officers, and in default of recovery to suffer from their delinquency. The transactions of the State should be solely with the counties.

The result of the present system, is that the county treasurers are almost independent of State control, and the prompt receipt of money due to the treasury cannot be relied on. Besides it operates to the injury of those counties that pay their *quota* of the revenue promptly. A few counties make prompt payments, while others fail to do so. Auditor's warrants are issued to discharge the State indebtedness, which should be discharged with the money due from delinquent counties. These warrants draw eight per cent. interest, which is paid from the State treasury, and is contributed by the counties that are *not*, as well as those that *are* remiss in the discharge of their obligations.

The amount now in arrear from the several county treasurers, a very small part of which will ever be received by the state;—probably not two per cent.—is \$62,401,94.

I recommend that each county be required to pay its proportion of the State revenue by a fixed day, under suitable penalties for non-payment. If the county treasurers neglect their duties or default, let the burden fall upon the counties that elect them, where it belongs.

It is much doubted whether the law of last session, substituting county for township assessor, was any improvement upon the former method of assessment. Judging from my own observation, I do not hesitate to conclude, that many millions of dollars worth of property was overlooked at the last assessment, and is this year untaxed. I recommend the old law, in this particular to be restored. Sound policy requires that administration as well as legislation should be brought as directly home to the people as possible. There must ultimately be a thorough township organization throughout the State, and the sooner the people become accustomed to it, the less difficult and burdensome it will become, and the more perfect and satisfactory will be the transaction of public affairs.

It is believed, that an assessment of real estate is not required more than once in two or three years. If this be so, a large aggre-

gate county expense might be saved. Biennial or triennial assessments might have a tendency to stimulate improvements and cause money, credits and personal property to pay their proportion of taxation, which at present is not the case.

The constitution requires the General Assembly to provide for taking an enumeration of the inhabitants of the State in 1859, and every two years thereafter. As the law stands at present, this enumeration must be taken by the county assessors. No one need be told that it is utterly impossible for these officers to perform this duty, and discharge the other duties imposed upon them. Besides, many of them are incompetent to perform it. If it is important that the census of the State be taken, it is important that it be accurately taken and thoroughly compiled. I know no way in which this can be done, but by authorizing the census board to appoint officers for the purpose.

The people of this State have indicated their opinion, that so long as banks of issue are tolerated in other States, our interests require that similar institutions be established here. If we must have a paper currency, it is infinitely better that it should be issued and secured and redeemed at home, under our own laws, than that it should be issued under laws of which we are ignorant, and controlled by men with whom we have no community of interest.

The constitution authorizes the General Assembly to establish, with the subsequent approval of the people;

1. A State Bank with branches, to be founded upon an actual specie basis, and the branches to be mutually liable for each other's issues.

2. A general free banking law with the restrictions and limitations imposed by Art. 8, Sec. 8 of the Constitution.

In acting upon this subject, it will doubtless be ever borne in mind by the General Assembly, that banks are to be established to secure the *public welfare*, and not to promote the purposes of stockholders and capitalists; and that it is far better that banks should realize small profits, than that the public should be liable to injury by their suspension or failure.

The system of common school organization contemplated by the new constitution, will, no doubt, result to the advantage of the State, if fully and properly carried into execution. Under this system, the members of the board of education are to be elected in the several judicial districts in the State. It is presumed that they

will be selected on account of their peculiar fitness for the positions they are to occupy. They will bring to the board their experience as educationists, and they will be able to represent the true condition and wants of every part of the State. They will stimulate the zeal of the people in their several districts in behalf of education;—they will instruct the subordinate school officers in the discharge of their duties, and thus secure the uniform execution of the school laws throughout the commonwealth.

It would be very desirable that the members of the board of education should have a general supervision of the acts of the county school fund commissioners, with authority to require additional or new official bonds when deemed necessary, and with power of substitution in cases of malfeasance or incompetency on the part of the incumbents. The fact is notorious, that many of the school fund commissioners lack the clerical ability to properly discharge the duties of their office. The affairs of some of these offices are in almost inextricable confusion, and a reform must be effected in their management, or considerable loss will be sustained by the State.

In compliance with the provisions of an act entitled “an act concerning school monies,” approved January 28th, 1857, I appointed agents to examine “the books, vouchers, securities and other documents” of several of the county school fund commissioners, selecting for the most part, those offices to be examined where it had been reported that the business had been loosely done, or where the officer had charge of the proceeds of a part of the “five hundred thousand acre grant,” as well as of the “sixteenth section grant.” The reports show that in a majority of cases the books are tolerably well kept, and that there is no immediate danger of loss, though there is a suspended debt in nearly every county. In some counties, however, the fund commissioners have accepted as security for money lent, mortgages upon land not within the county, and in some instances upon ideal tracts of land. In many instances, mortgages are improperly drawn and acknowledged, and in some cases they stand as the second or third encumbrances.—Some of the commissioners accepted the records and papers belonging to their office from their predecessors, without inquiring into their character or correctness, and such is the confusion of the records, and so limited is the knowledge of these officers of accounts and titles, that it is impossible for them to render an intelli-

gible report of the condition of the school lands and monies under their control. The agents were in some counties compelled to make complete abstracts of title to all the lands in the county that had originally been school lands, in order to ascertain what tracts had been sold and what remained unsold. If the members of the board of education are required by law to make annually a thorough personal examination of each school fund commissioner's transactions, a uniform system of doing business will, in a little time, be established, and the school fund will be preserved.

An agent was also appointed to examine into the pretended loans of school monies made by the late Superintendent of Public Instruction, James D. Eads, with power to secure as far as possible, the future payment thereof. The agent, J. M. Beck, Esqr., of Fort Madison, has been indefatigable in his efforts in this behalf, and has succeeded in securing a large amount of doubtful indebtedness. The exact condition of these transactions of the late Superintendent, will be learned from the report of the agent, which I herewith transmit for your consideration. It will be observed that the deficit will probably amount to forty-six thousand four hundred and three eighty one hundredth dollars, for the payment of which recourse must be had to the official bonds of Mr. Eads.

I again call your attention to the revision of the school laws of the State, as prepared and submitted to the last General Assembly by Messrs. Horace Mann and Amos Dean. It can safely be said, that the general provisions of that report met the approval of the friends of education in the State. Indeed, the report was acceptable to a large majority of the members of the last General Assembly; but failed to be enacted into a law for reasons not connected with the merits of the report itself. The obstacles then in the way of its adoption have since been removed by the adoption of the new constitution, and I know no reason why it should not now be considered and enacted into a law.

I cannot forbear repeating the opinion expressed to the General Assembly three years ago, "that the public schools should be supported by taxation of property, and that the present *rate* system, or *per capita* tax upon scholars, should be abolished." I have seen no reason to change my opinion on this subject, but, on the contrary, I have been every day more and more strengthened in the conviction that it is the only wise and politic method of educating the people. The *per capita* system is based upon the

idea that education is a personal benefit for which those who receive it should pay, whilst the true theory of popular education is that it is a public benefit for which the public should pay.

The capitol building at Iowa City has been surrendered to the trustees of the State University. The building is out of repair, and requires considerable change in its internal arrangements to adapt it to the purposes for which it is to be used. I recommend the General Assembly to appropriate a sum sufficient to put it in complete order for the uses for which it is now designed.

The report of the trustees of the university will be laid before you. The time has come when this institution should be put in vigorous operation and be made a benefit and honor to the state. The constitution requires the General Assembly to "encourage by all suitable means the promotion of intellectual, scientific, moral and agricultural improvement." I know no more practicable method of compliance with this constitutional injunction, than by the organization of the university upon the basis of the report submitted by the commissioners to the General Assembly at its last session.

The report of the trustees of the blind and deaf and dumb asylums will be laid before you. The deaf and dumb asylum is in a prosperous condition and only lacks the proper accommodations, to answer all the reasonable desires of the friends of the institution and of the children in charge. I recommend that this institution be permanently established at some point in the state, and that steps be taken to erect a proper asylum building.

The pupils at the blind asylum are so few that it does not seem necessary to maintain an institution for their instruction. They can be educated by the State in similar institutions elsewhere, at less expense than is now annually appropriated for this purpose.

I am pleased to be able to say that the hospital for the insane at Mount Pleasant has advanced rapidly towards completion, and can be made ready for occupancy during the present year. The main rear projection, embracing the kitchen, bakery, washrooms, laundry, chapel, dining room, servant's room, &c., is under roof, and can be plastered in the early spring. The whole east half of the building can be raised to the roof in thirty days, the material being now all upon the ground. The west half is raised to the bottom of the second story windows, and a considerable portion of the stone required for the completion of this wing is also prepared and upon the ground.

The whole work is of the most substantial character; the plan of the structure meets the approbation of all who are familiar with the treatment of insane persons, and I think I hazard nothing in saying that when completed the hospital will be creditable to the State.

The amount already expended, including labor, materials of various descriptions on hand, glass, sash and window frames for the entire building, stock, &c., is \$138,548,01. The estimates of amounts that may be necessary to complete the building, out buildings, furnish steam, gas and water, and to prepare the hospital grounds, will be found in the report of the commissioners, herewith communicated.

It may be thought by some that the size of this building is greater than the necessities of the State require, and more expensive than the finances of the State will justify.

In response to such suggestions, I beg leave to say that there are now insane people enough in the state to fill it to its utmost capacity, and that, while it has thus far been most substantially built, no money has been spent, nor does the plan contemplate the expenditure of any, for useless finish or adornment. When it is remembered that each patient requires a separate dormitory, enclosed by brick walls, thus requiring three hundred rooms for the inmates alone; that there are day-rooms and associated dormitories; dining-rooms, wash-rooms, bathing-rooms and water-closets, in each of the sixteen wards; and that there must necessarily be large accommodations for baking, cooking, washing, ironing, &c., &c., for a household of nearly four hundred persons, the magnitude of the building and its cost will not be surprising.

No one who examines the census returns of this State for 1856, and informs himself of the proportion of insane cases that become chronic and incurable when treated as they now are in this State, to the proportion that are cured when sent immediately to an asylum, will hesitate to believe that humanity, economy and safety, require that this institution should be immediately completed, and hereafter liberally supported.

It will be necessary for the General Assembly to determine upon what system the Hospital, when completed, shall be conducted. At present there is no provision for the admission of patients, and it will be necessary to declare upon what conditions they can be received, and who shall have the general supervision of the interests of the institution.

In compliance with the instructions of the General Assembly, I have caused the report of the Geological Survey of the State to be printed at Albany, New York, under the immediate supervision of Prof. Hall. The work has been issued from the press, and is now in transit to this place. I am pleased to be able to say, that it is regarded by men of science, who have had access to the proof-sheets, as one of the noblest contributions that has ever been made to the scientific history of the country, and is spoken of by all as an honor to our State.

My successor will submit to you, during the session, the estimates of Messrs. Hall & Whitney for carrying forward the work to completion.

There are now several independent military companies in the State, to whom State arms have been distributed. Many of the companies are uniformed, fully equipped, and well disciplined. Yet, there is no law of the state under which they are organized, or that would strictly authorize the Executive authority to call them into the field, in cases requiring their services.

The experience of the past year has demonstrated the necessity for some military organization in the state, and I therefore commend the subject to your consideration.

Accompanying this communication you will receive the report of the Treasurer of State.

The amount in the Treasury on the 31st October, 1856, was,.....	\$11,254 91
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There was paid into the Treasury during the fiscal year,.....	231,234 42
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Making a total of,.....	\$242,489 33
There was paid out during the year,.....	228,806 23

Leaving a balance in the Treasury at the end of the year of,.....	\$ 13,683 10
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There is in arrears from the several county Treasurers,.....	62,401 94
--	-----------

There is due from the several counties upon the assessment of 1857,.....	418,709 59
--	------------

The Auditor of State estimates the taxes for the year 1858 at, ...	500,000 00
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The estimate for 1859 is,.....	575,000 00
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Total resources of the State to January, 1860, when the next General Assembly convenes,.....	\$1,569,794 63
--	----------------

The Auditor estimates the expenses of the state	
during the same period at,.....	\$523,412 90
There are of outstanding Auditor's	
warrants,.....	155,003 56—
	<u>678,416 46</u>

Leaving an excess of resources over present and	
probable liabilities of,.....	\$891,378 17

The expenses of the State during the two past years have been greatly increased by the extra session of the General Assembly in July, 1855, rendered necessary by the grant of land to the State for railroad purposes, by the recent constitutional convention, and by the erection of a hospital for the insane at Mount Pleasant. The amount expended for these three purposes exceeds the sum of two hundred thousand dollars.

It will be observed that the estimate of resources for the years 1858 and 1859, is based upon the supposition that the present rate of state taxation shall be continued. It will be for the General Assembly to determine whether or not this rate of taxation shall be adhered to. It is believed that owing to the present scarcity of money and the stagnation in business, a small amount only of the state revenue now due, will be promptly paid. I therefore submit to the General Assembly the propriety of borrowing upon the bonds of the State, the amount allowed by the Constitution. I have reason to believe that six per cent. bonds can be negotiated at par. Should this course be adopted, the present liabilities of the State can be immediately discharged, the charitable institutions can be carried forward to completion, and the rate of taxation for the years 1858 and 1859 can be reduced at least one-third.

The act of January 29, 1857, in relation to the Des Moines River Improvement, authorized the making of a new contract for the prosecution of that work. This action of the General Assembly was founded upon the conclusion that the contract of June 9, 1854, with the Des Moines Navigation and Railroad Company, was invalid and nugatory, from never having been approved by the Governor. The Supreme Court has, however, since decided that as this contract was subsequently recognized and acted upon by the State authorities, the original defect has been cured, and cannot now be made a ground of objection.

But from the report of the joint committee of the two houses at the last session of the General Assembly, it would seem that the terms of this contract had never been complied with by the Com.

pany, but that it has been disregarded in its most essential particulars, whereby the purposes for which it was entered into have not been and will not be attained. If this be true, you may feel it to be your duty to rescind that contract, for the reasons stated in the report, and make other arrangements in relation to that munificent grant, now in danger of being frittered away without any useful result.

The report above referred to also indicates that the Des Moines Navigation and Railroad Company have not only forfeited their charter by a failure to comply with the requirements of the statute, but that they have engaged in practices calculated to deceive and defraud, upon a large scale, innocent and unsuspecting persons, both at home and abroad. If this be true, it may be thought a matter of sufficient public importance to justify you in directing the Attorney General to institute proceedings to vacate the charter of the Company, and thus prevent it from perpetrating any further wrongs under the authority of the laws of this State.

The report of the Commissioners will furnish you the specific information that may be necessary as the basis for any action on the subject that may be deemed desirable.

By the act of Congress admitting Iowa into the Union, approved March 3d, 1845, it is declared "that five per cent. of the net proceeds of sales of all public lands lying within the said State, which have been or shall be sold by Congress from and after the admission of said State, after deducting all the expenses incident to the same, shall be appropriated for making public roads and canals within the said State, as the Legislature may direct." This act of admission was accepted by the State on the 15th of January, 1847, with the provision that "the General Assembly shall have the right, in accordance with the provisions of the second section of the 10th article of the Constitution of Iowa, to appropriate the five per cent. of the net proceeds of sales of all public lands lying within the State which have been or shall be sold by Congress from and after the admission of said State, after deducting all expenses incident to the same, to the support of common schools."

At the time this contract was made between the State and the United States—for it can be regarded in no other light than a contract—the United States disposed of the public lands in no other way than by *bona fide* sales for money. This obligation on the part of the Federal Government was based upon the obligation on

the part of the State that lands belonging to the United States should not be taxed, and that the lands of non-residents should not be taxed higher than the lands of residents.

The State had reason to believe that the same policy would be continued. Since that time, however, the policy has been changed, and immense quantities of land have been entered by military land warrants, issued to former soldiers in the United States army. The law authorizing them to be issued, provides that these warrants shall be received in payment for lands. The Government, therefore, receives a consideration for the land thus entered, in the discharge of its obligations upon the warrants. It is exceedingly unjust for the government to destroy the fund which it holds in trust from the State, for the purpose of rewarding those who have rendered it service. Between private persons, the same state of facts would justify a recovery in a court of law. It seems to me that the same principle should prevail between the two governments. The military land warrants located in this State up to the 30th June, 1856, covered 10,929,692.30 acres. The per centage due to the State thereon is \$682,980 20. I have no means of knowing the number of acres located in the fiscal year ending 30th June, 1857, but I judge that the aggregate per centage now due to the State approaches very near \$1,000,000.

I recommend that Congress be again memorialized on this subject, and that suit be authorized to be instituted against the United States, for the recovery of the amount due, in the Court of Claims.

During the past three years, my attention has been frequently called to the probability of a collision between the Indians and the settlers in the west and north-western counties of the State. I have repeatedly addressed the President of the United States, the Secretary of War, and the Commissioner of Indian affairs; warning them of the apprehended danger, and urging that immediate steps be taken to remove the Indians beyond our limits. Copies of my letters to the members in Congress from the State of Iowa, under date of 30th January, 1855, and to the President of the United States, under date of 3d December, 1855, I herewith transmit:

Without any military organization in the State, and without any power to act, except in the event of an actual hostile invasion; residing remote from the scene of anticipated difficulty, and fearful that some exigency might arise that would require prompt and energetic action; in January, 1855, I requested Maj. Wm. Wil-

liams, of Fort Dodge, to assume a general charge of this subject, and authorized him as far as I had power to do so, to act in my behalf, in any contingency that might arise in connection with the Indians.

In February last, Ink-pa-du-tah's band of Sioux Indians made a hostile incursion into the State, and perpetrated most horrible atrocities in Dickinson county. When intelligence of this event reached Fort Dodge, Maj. Williams at once enrolled three companies of men under Capt's. Richards and Duncomb, of Webster county, and Captain Johnson, of Hamilton county, and proceeded to the scene of difficulty. These heroic men left their homes in the most inclement season of the year, and endured almost unheard of sufferings and privations; crossing swollen streams flooded with ice, and traversing uninhabited prairies in the most tempestuous weather, that they might save their fellow-creatures from a savage butchery, or rescue them from a captivity worse than death.

Two of their number, Capt. J. C. Johnson, of Hamilton county, and William Burkholder, of Webster county, perished on the march. Others returned frozen and maimed. The expedition did not overtake the Indians; but they reached the scene of their barbarities, gave to the dead a christian burial, and brought back with them, two children, the sole survivors of the slaughtered settlement.

The men who thus gallantly and humanely perilled their lives, have received no compensation for the time employed in the expedition, or for their outfit. The Federal Government is in equity bound for their compensation. The Indian tribes are under its protection and control. It has allotted to each tribe a scope of country for its exclusive occupation. It has sold lands to settlers in this State with the understanding that these tribes shall be confined to their respective limits, and that the possession of the land purchased shall never be disturbed by the Government, or those under its management. If the savages break over their bounds and inflict injury upon others, the Government should respond to the parties injured, for the damages sustained, and for the expenses incurred in protecting themselves against a repetition of the injury. To this end, I recommend that a memorial be addressed to the Congress of the United States.

But many of the members of Maj. Williams' command are unable to await the tardy action of Congress, and I therefore advise

that the State assume the payment, and reserve the same from any appropriation that may be made.

Accompanying this, will be found the report of Commissary General C. B. Richards, showing the amount expended on account of this expedition, &c.:—

I submit to the General Assembly, whether some public recognition of the noble gallantry and untimely death of Messrs. Johnson and Burkholder, is not alike due to their memory, and to the gratitude of the State.

I do not anticipate any further trouble from the Indians. The rumors put afloat in regard to future difficulty can generally be traced to interested persons who seek by their circulation to accomplish some ulterior purpose. To be prepared for any such emergency, however, I have established a depot for arms and ammunition at Fort Dodge, and have procured a cannon, muskets and ammunition for another depot in Dickinson county.

I transmit herewith, the Report of the Inspectors of the State Penitentiary, to which I solicit your particular attention.

It will be observed that there has been expended for the general support of the Penitentiary during the last fiscal year:

For salaries of officers, ...	\$1,525,96
“ “ “ day and night guards, ...	2,674,79
“ clothing, bedding, provisions, fuel, lights, incidentals, &c., &c., &c., ...	5,247,85
Making, ...	<u>\$9,448,95</u>

The value of the convict labor during the year has been \$2,397,28, besides the construction of ten additional cells estimated at \$1,545,00.

By an oversight, doubtless, no appropriation was made by the last General Assembly for the support of this institution. To meet the current expenses, the Inspectors were compelled, with my approval, to divert towards this purpose, 4,000,00 of the appropriation for the construction of wall, hospital, &c. This diversion became necessary to the very existence of the institution, and it is hoped it will meet your approval.

There has been a great increase in the number of convicts, and more cells and work-shops are required for their accommodation. The amount of appropriation that will be required for their construction, will be learned from the accompanying report

I am happy to be able to say that the health of the convicts has been good during the year. There have been no deaths, and no escapes or attempts at escape. The discipline has been excellent, and the moral condition of the institution quite as good as could be expected.

I also transmit for your consideration, a presentment of a Grand Jury of Lee county upon this subject.

The necessity for a hospital for the sick, and apartments for female convicts, is urged with great force by the Grand Jury as well as by the Inspectors, and must, I think, be apparent to all.

I would call your attention to the fact that the edition of the "Code of Iowa" is exhausted, and that there are no copies of some of the session laws.

It will be necessary to make provision in some way for their republication. Many officers, in the new counties especially, who are entitled to copies of the laws, are unsupplied, and must remain so, until some further provision is made.

I cannot close this communication, without briefly calling your attention to the extraordinary doctrine announced by some of the Judges of the Supreme Court of the United States in the recent case of Scott vs. Sandford, and which the people of this country are now called on to endorse as the true construction of our national constitution.

The founders of this republic entertained, no doubt that congress had power to make all needful rules and regulations for the government of the territories of the United States, and that a prohibition of the introduction of African slavery within these territories was legitimately within the scope of this authority. Such was the universal sentiment of the country, and the principle was recognized in numerous instances by Congress prior to 1854; when the Missouri Compromise line was obliterated and the territories of Kansas and Nebraska created. The new and specious theory of "popular sovereignty" was then promulgated. The people of Iowa were besought to acquiesce in the repeal of the Missouri Compromise, on the ground that by the principle established by the Kansas Nebraska act, the people of the territories would have the power to determine for themselves, whether freedom or slavery should prevail within their several jurisdictions. It was contended that the inevitable effect of giving the people the power to settle this question for themselves would be to establish freedom in every

territory—that such was the vitality, and vigor, and advantages of free institutions over slave institutions; that so apparent were the withering influences of slavery upon all the best interests of society, that no intelligent people would encourage or allow it to be established within any of the new territories. There was such a degree of plausibility and fairness about this agreement, that it received the support of a considerable portion of the American people.

But the theory of popular sovereignty, and the theory of the power of Congress over the subject of slavery in the territories, have alike been overthrown by the decision of the Supreme Court. After overturning the law as it had been settled more than seventy years, by deciding that Scott was not a citizen because of his African descent; that he had no right to bring suit; that the court had no jurisdiction of the case, for the reason that there was no case legitimately before it, for the want of a proper party; a majority of the Judges proceeded to pass upon what they were pleased to consider the merits of the case.

I am aware, that except upon the single question of the citizenship of Dred Scott, their opinions are entirely extra-judicial, and entitled to no more weight than the opinions of any other citizens. But they are worthy of your consideration, because they foreshadow the opinion that will be authoritatively announced whenever the proper state of facts shall be presented that may seem to justify it.

It is first declared, by a majority of the judges, that Congress has no power over slavery in the territories, and as a natural corollary cannot delegate to the people of the territories a power it cannot itself exercise. It is declared that the Constitution plants slavery upon all the public domain, and there nurtures and protects it.

It is no longer held, under this decision, that freedom is national and slavery local, confined to the limits of the States that see fit to uphold it. Slavery is in effect declared to be a national institution, belonging not to the States, but to the United States. It is fastened upon every foot of soil belonging to the Government, and there is no power in Congress, or in the Territorial Governments to expel it. Whatever Territory may be hereafter acquired by the United States, will instantly become slave soil. Wherever the flag of the country goes, there goes slavery with its chains and manacles.

The logical result of this decision goes still further. It carries slavery into every State in this Union.

One of the Justices of the Supreme Court even declares, "that the only *private property* which the Constitution has *specifically recognized* and has imposed it as a direct obligation both on the States, and the federal government to protect and *enforce*, is the *property* of the master in the slave; no other right of *property* is placed by the constitution upon the same high ground or shielded by a similar guarantee." If this be true, the whole union is slave territory, and there is no power on earth to abolish it. If both the States and the federal government are bound to protect this right of property, there is nothing to prevent slavery from taking possession of Iowa to-day.

But it is not true. There is no such obligation imposed upon the States. The constitution no where regards slaves as property. They are uniformly spoken of as "*persons*." As "*persons*" they are enumerated and entitled to representation. As "*persons*" they are subject to rendition as fugitives from "service or labor," as are apprentices and minors. As "*persons*" their "immigration or importation" could not be prohibited prior to 1808.

It needs no argument to show that this decision is unwarranted by the facts presented to the courts; that it is revolutionary in its character; subversive of the policy of the founders of the republic, and violates the rights of the states. Being wholly extra-judicial, so far as relates to the power of congress and the States over slavery, it cannot bind the conscience, or command the obedience of any man.

I trust that as the representatives of the freedom loving citizens of Iowa, you will explicitly declare that you will never consent that this State shall become an integral part of a great slave republic, by assenting to the abhorrent doctrines contained in the Dred Scott decision, let the consequences of dissent be what they may.

The condition of affairs in Kansas, certainly demands your consideration.

Notwithstanding the grossest frauds and the most unequal legislative apportionment, the people of that unfortunate Territory have declared by an emphatic majority in favor of freedom. No candid mind can now doubt that at least four fifths of the *bona fide* citizens of the territory desire to erect it into a free State.

But the more evident it is that the people do not desire slavery fastened upon them, the more desperate are the efforts of the slavery propagandists to thwart the popular will. We have seen within a few weeks, a small number of persons pretending to be the representatives of only a small minority of the people, proclaiming what they call the constitution of Kansas. That constitution recognizes slavery as already established, makes provision for its protection and undertakes to bind posterity against its abolition. The attempt is made to subvert every principle of popular government, by fastening this constitution upon the people without their consent. Conscious that it would be overwhelmingly defeated if fairly submitted for their approval or disapproval, they are denied the privilege of determining for themselves the character of the institutions under which they are to live. They are not permitted to settle for themselves any of the important questions connected with their judiciary, representation, taxation, internal improvements, education, finance, State indebtedness, or personal rights. For the purpose of riveting slavery upon them, a blow is thus struck at the very foundation principle of popular government. Had a similar attempt been made by the recent constitutional convention in this State to force a constitution upon the people regardless of the popular will, it would justly have resulted in a revolution.

This pretended constitutional convention, it is true, proposed a separate article which was submitted to the people, and which if adopted, establishes slavery in Kansas upon a more barbarous system than is known to any of the slave States of this Union. But no one was permitted to vote either for or against this separate article until he first voted *for* the constitution. He was not allowed to vote against it. Thus, whether the separate article was adopted or rejected, if the constitution *which could not be voted against*, is permitted to stand as the organic law of the State, Kansas must become a slave State.

We cannot be indifferent to the efforts of the people of Kansas to perpetuate freedom in that territory. We ought not to be indifferent. No people are deserving of freedom who do not sympathize with those who are struggling to attain it. The people of Kansas are the champions of popular government everywhere.— They are bringing to the test the great principle enunciated by

our revolutionary fathers that government derives its power by the consent of the governed.

If the recent constitutional convention of Kansas, defended as it was by federal bayonets against the just indignation of the people, can succeed by trick and fraud in fastening an obnoxious constitution upon them, and take away from them the power to amend it until slavery shall become further strengthened, there is an end to free government and American liberty.

The people of Iowa look with alarm upon the constant aggressions of the slavery propagandists, but I confess that I look with equal alarm upon the manifest tendency of our government to consolidation.

The events of the few past years would seem to indicate that the predictions of some of the men who achieved our liberties for us, are being fulfilled. Our government is fast becoming an elective monarchy. The States are gradually losing their consequence and will soon be reduced to the condition of mere municipal appendages to the central power. The influence of the federal government is prostituted to interference in State affairs, even to that of municipal elections. The doctrine inherited from our ancestors that standing armies are dangerous to the liberties of the people, is repudiated by constant and strenuous efforts to increase the national army. The federal government now asks to control all the banking institutions in the States by virtue of some law of Congress. Sinecure offices are created for the purpose of influencing public opinion. The army of office-holders scattered through the states, uttering the sentiments, disbursing the money, and obeying the commands of the Central Authority, govern in a great degree the sentiment of the country. Thus, the federal government, instead of being as it was designed to be, the mere creature and under the control of the States, is fast becoming their master.

This centralizing influence of the government—the immense increase of our national expenses—the history of slavery propagandism in Kansas, and the complicity of the federal government therewith; the attempt to overthrow the clearest right of self-government for the purpose of extending the institutions of slavery, and the efforts to destroy the rights of the States by political decisions of the supreme court, should remind the freemen of Iowa that their political rights are in danger.

taining the integrity of the state governments against the corrupting influences of federal patronage and power.

Closing with this communication my official connection with the government, I may be permitted to avail myself of the occasion to return to my fellow citizens my heartfelt thanks for the honor and confidence they have bestowed on me, and to assure them of my continued aspirations for the advancement of our beloved State in virtue, prosperity and happiness.

JAMES W. GRIMES.

EXECUTIVE OFFICE, DES MOINES, }
January 12, 1858. }

INAUGURAL ADDRESS,

OF

RALPH P. LOWE,

DELIVERED TO THE

SEVENTH GENERAL ASSEMBLY

OF THE

STATE OF IOWA.

DES MOINES, IOWA.

J. TEESDALE, STATE PRINTER, CITIZEN OFFICE.

....
1858.

INAUGURAL ADDRESS.

Gentlemen of the Senate

and House of Representatives:

On assuming the office of Chief Executive of the State, it becomes my duty, to point out to you, as a co-ordinate branch of the Government, some of the principles, which in my opinion, should guide us in the administration of its affairs.

Legislation is a high sovereign power, to be exercised with great wisdom. Its sanctions are found in the proper discharge of our responsibilities to the people from whom the power is derived.

We have reached an important juncture in the history of this State, and are charged with the initiative of laws and measures bearing upon its administrative policy which gives peculiar emphasis to our public duties.

Aside from this, there are other circumstances connected with our Federal relations, and the financial posture of affairs, by which all business transactions have suddenly been deranged; the commercial sky over-clouded, the whole country smitten as with a palsy, and this period marked as one of uncommon solemnity.

But every age must teach its own lesson. The lesson of this age, of great movements and great peril, is first, that of limiting the credit system to its rightful sphere. Secondly, that of giving back to agriculture her just and full proportion of the industrial forces of society; for it is plain, that when the commercial classes become numerically larger than is necessary for the exchange and distribution of the products of the earth, and the fabrics of its work-shops, (as unquestionably was the case at the commencement of the late financial and commercial crisis) the effect must be to disturb that equilibrium in the division of labor, so essential to a healthy condition of the world's business.

This undue enlargement of buyers and sellers in which is in-

cluded the whole circle of traders and speculators, whether in merchandise or land, at the expense of field culture, has contributed in my judgment its full share in bringing upon the country that embarrassment which is its just retribution.

Its effect is to engender a spirit of cupidity and reckless speculation; it multiplies the employment of unnatural expedients to live *easy*, and without much toil. This is subversive of the law of our being. Toil is the Providentially appointed allotment of man at birth. Husbandry in its enlarged sense is, the basis of society, furnishing not only the pabulum of life, but the material for clothing the world.

All other branches of business are but its incidents. Thin the ranks of its votaries, and crowd the channels of trade and commerce, and you bring into being a train of disturbing evils that must result in disaster.

No maxims of political economy, however well observed—no system of currency, however nicely adjusted or guarded, can compensate for this departure from the law of labor.

Let agriculture, the vanguard of all other occupations, have its full and appropriate share of the industrial forces of the country, with a commerce just equal to a fair distribution of its products, always following, and never in anticipation of its annual crops, and the world's affairs and business will in the main flow on with comparatively a smooth and full stream.

Happily for the people of Iowa, the sun in its brilliancy looks not down upon a fairer land, for the exemplification of this great regulating element in the economy and business of life. Here the ignorant and humble, as well as the more intelligent and elevated peasant—the amateur husbandman—the professional and literary man—the statesman and politician, and the representative men of the highest style in the country, may pay their homage to this primeval employment of man, and secure to general husbandry its highest conception and development as a system and as a science.

There is not perhaps another 50,914 square miles in one body upon the globe, that can offer so many broad acres of unrivaled fertility, and of such high adaptations for the staples of life, as the State of Iowa. Two of the largest navigable rivers in the world, lave her eastern and western borders; her plains abound in coal-beds and other mineral. There are no natural causes of insalubrity within her realm. The course of her prairies and the physical

configuration of the surface, invite the atmosphere of the snowy mountains in copious currents over her extended plains, bearing upon their wings the invigorating vitality that gives quickness and elasticity to the step, and endurance to the toiling energies of its people.

This goodly land, thus blessed in its natural conditions, has undergone an almost magical transition from Nature's wilderness to the cultivated fields; the flourishing villages and populous cities of civilized and enlightened man; and in this attitude presents a subject of reflection unsurpassed in interest in the annals of the world.

The condition of State sovereignty which it rapidly attained, has recently been amplified, and is now about to manifest itself through a more perfect organization, legislative, judicial and executive. Over this combination of supreme powers you are called to extend a legislation that shall give effect and operation to its recently modified and improved fundamental law; to revise, correct and harmonize existing enactments; to establish a policy suited to the rapidly unfolding resources of a State, and to lay the foundations of an empire that can under beneficent laws and a wise system of field culture, support five to eight millions of inhabitants.

It should be our aim to emulate, if not surpass, the best model of a State Government in the Union. We are *one* of a great confederacy of States; each existing under its highest form of organization as a body politic; each in its constitutional sphere independent of the others, and all possessing their own peculiar system of policy, adapted to their geographical positions, the habits and pursuits of their people and the capabilities of their soil. None are perfect, yet all are commissioned to promote the public weal. It is a noble contest between a galaxy of sovereign States, as to which shall present to the world *the* model Government.

The first great element of all prosperity is to conduct the affairs of the State upon christian principles. In this way the Divine will is honored, and the spirit of God breathes through the combined intelligence of the people. This principle in our own political system raises itself in majestic serenity above the strifes of parties, and the conflicts of sections, and being based upon the dictates of pure reason, promotes a degree of perfection in systems of State policy not otherwise attainable.

One important method of displaying a just regard for the prin-

principles of christianity is to give due attention to the benevolent institutions of the day. The hand of charity should be extended to all the varieties of human want; multiplying its forms of action in proportion to the forms of suffering; in the erection of hospitals, lunatic, and deaf and dumb asylums; in establishing dispensaries and poor-houses; in opening receptacles for the reformation and punishment of the vicious and wicked; founding institutions of learning of a high order, with charity scholarships, and perfecting our common school system. It is known that throughout our State there are many unfortunate human beings bereft of reason, for whom no adequate provision has yet been completed. There are others to whom the light of Heaven comes not, whose eyes are closed to the happy smiles of friends, and the beauties of the world; and some who hear not the voice of love and the whispers of living nature. The poor maniac needs prompt and efficient sympathy and kindness and restoration to society, and whilst humanity rejoices over the result of institutions reared for his benefit, experience cheers us with the knowledge that we can almost open the eyes of the blind and unstop the ears of the deaf.

These public enterprises demand no specification at my hands on this occasion. Their establishment is among the duties which every State owes to its citizens, and we should endow and foster them in all their best forms and appointments.

I only mention them, to say, that as God has given unto us the fairest heritage in all the earth to inhabit, let us not dishonor the *gift*, by erecting upon it institutions, or passing over it a code of laws less wise and beneficent than those of other countries, or which shall fail in their conception and design to reflect back the beauty, richness and excellency of the land they are intended to bless.

Upon this idea has the lunatic asylum at Mount Pleasant, been wisely commenced. Let it go forward and be completed upon the principle and design of making it a model institution of the kind, as every other kindred institution should be. It is only upon this line of policy that we can hope to lay claim to anything like State superiority in this department of the public service.

Economy in the administration of the public business should never be overlooked. But true economy consists in a faithful and wise application of the means of the State, in commanding the services of the best men, ordaining the best system of laws, and

establishing the highest order of institutions. In the just acceptance of the principle of public economy we cannot accept any other terms.

In the main each State is to perform her own works of charity. But there is one description of these humane and provident institutions to which I desire to make special reference, as they are national rather than local in their character. I allude to marine hospitals. We have distinguished precedents for calling the two great rivers that wash our shores, *inland seas*. They bear upon their bosom a heavy and a growing commerce, next in importance to that which floats upon the more expanded realms of the open seas. The vessels of many States ply upon their waters, and they throw upon our borders annually no inconsiderable number of afflicted and disabled watermen. These are not our citizens alone; they belong to the carrying trade of the whole country, and they should be kindly cared for at the public expense. Our associated relation to the general Government makes it your duty, early and persistently to press upon the consideration of Congress the importance not only of erecting marine hospitals at the proper points, but that also of custom-house and postal buildings, at those places made ports of delivery, and where distributing post offices have been established; if the amount of business connected with these branches of the public service will justify the same.

Cordially approving and adopting the views and suggestions contained in the message delivered by my worthy predecessor upon all the ordinary topics of legislation, it is only necessary for me to recur in general terms to some of those things which impress my own mind with their importance.

The unexampled increase of our population the last two or three years, has had the effect to exhaust all the copies of the Code, as well as the pamphlet laws subsequently enacted, leaving a large body of our citizens destitute of the means of knowing the laws under which they are living.

This evil should be remedied at as early a period as practicable. Six years practice under the Code has brought to light many defects, especially in the chapters regulating our civil procedure, which ought now to be reformed. This done, the publication of a new edition of the Code and pamphlet laws, including the new practice act, might perhaps be left to individual enterprise, as it is

known there are persons now preparing and taking the initiatory steps for such a publication.

I rejoice to know that the people of Iowa have been singularly fortunate in the selection of so competent and intelligent a body of men for the transaction of their business. No occasion has arisen in the State, in my judgment, demanding the exercise of more wisdom, sound discretion, and statesmanship, than the one on which you are now convened.

But in view of the great amount of other business which will occupy your attention during the session, I beg to recommend the appointment of two or three competent legal gentlemen to act at once in conjunction with special committees constituted for that purpose, in revising, amending and getting up a more efficient and perfect practice act, to the end that the same may go out with the publication of the other laws in the spring—and the people of this State be blessed with a system of civil and criminal procedure, under which the great principles of justice and right can be administered—all wrong suppressed—goodness and virtue protected—and evil doers punished.

In this connection I cannot forbear making allusion to the great inadequacy of the State Penitentiary to effectuate the objects proposed. It is under the management of highly competent inspectors, who can, with the generous aid of your body, make it what it should be, a first class, self-sustaining institution. The absolute demands of criminal justice in this direction, admit of no denial or delay. The report of the Inspectors will tell its own story, and command, I doubt not, your very considerate and prompt attention.

The practical experience of the whole country attests the indispensable utility of railroads. Although diffusive in the benefits they bestow, extending themselves to every class in community, yet the country is indebted for the most part, to individual capital and enterprise for their construction. This fact should bear down with great urgency upon the mind both of the State and National government, to hold up the hands and encourage the hearts of the noble and self-sacrificing few, who manifest a willingness to peril much of their fortunes, to push forward a description of improvement that marks one of the great features of the age.

The new Constitution contemplates important legislation upon our judiciary and militia system, upon the school lands and funds, and a radical change in our educational department, as well as other

subjects, upon all which it will afford me pleasure to communicate freely with you during your deliberations.

The questions of currency and agriculture are new subjects of legislation in this State, authorized and enjoined by the Constitution, and possess no ordinary significance.

In the absence of a national paper currency, and with an established policy of seventy years' standing in the use of a mixed currency of paper and metal by the States, each for itself providing and regulating its own circulating medium, it would seem to be the very climax of human folly for a single State, possessing equal powers, to *lean* wholly upon other States and foreign corporations for its currency. Yet Iowa, from the beginning, has been guilty of this great folly, the effect of which has been to keep out that amount or fair proportion of gold and silver, which a wise and well regulated banking system would have necessarily supplied; and subjected us to the necessity, as well as all the hazard, of employing the paper of a thousand banking institutions in other States, at an immense annual cost, in the shape of interest, failures, and counterfeits; and now, when the whole country is overtaken by a money crisis, in which many of these banks have gone into liquidation, and others withdrawn their issues, we find ourselves entirely destitute of a circulating medium.

It is needless to disguise the fact, that like the balance of the civilized world, we are greatly in debt—with no disposition, however, to break faith with our creditors. Possessing millions of produce and other good property, still we have no money or available credit to meet our liabilities.

A sudden enforcement of these liabilities under the circumstances, would be as disastrous as it would be cruel towards the people of this State; and the question may be seriously propounded, whether any principle in ethics would be violated in affording reasonable time and that relief which shall be fair to all parties, for the liquidation of these liabilities.

As the State in its sovereign capacity has clearly been at fault in not providing the way for supplying a safe, sound and reliable currency of her own, that our people might be placed on an equal footing, and with like advantages and privileges enjoyed by the people of other States, she is bound by every consideration of fairness, to repair and uphold the falling fortunes of the people, so far as they are affected by the want of a home circulating medium.

According to the statistics of the Federal treasury, there is now in the country \$260,000,000 of dollars of specie; \$60,000,000 of this form the basis of bank issues in other States. Had we ten years ago established a wise State Banking System, endowing it with the attributes and powers of similar institutions, the probability is, that to-day we would have had our fair proportion of this specie, both in the circulation of the State and the vaults of our banks, justifying the issue of an amount of paper which by its pliability to sudden emergencies, would greatly relieve our people in these days of evil portent, or at least keep them from falling into a worse condition than our fellow countrymen in other States.

Forgetting however the errors of the past, let us make haste to retrace our steps; do now what should have been done years ago—make provision for a sound and an adequate currency of our own.

It is competent for you to frame a general law, under which either or both of the banking systems contemplated by the Constitution may be established. It is perhaps unnecessary for me to indicate my opinion in regard to the relative merits of the one or the other; or to venture any suggestions as to the provisions which should enter into the frame work of either. The very large amount of gold and silver in the country justifies the conclusion, that an actual specie basis would be obtained under a banking law wisely conceived as to the privileges it conferred and the limitations it imposed. There is often power in words. Confidence is an important element in all banking operations. The word *State*, in a government well ordered and conducted, is with many the synonym of confidence. These facts, with others, would determine my own mind in favor of a wisely adjusted State Banking system. Let it be established under the best lights you can obtain, protecting the billholder, inviting the capitalist, issuing no bills under the denomination of five dollars.

The constitutional requirement upon the General Assembly to encourage and foster agricultural improvement, must have had its origin in a knowledge of the fact that the legislation of the country everywhere has been disposed heretofore to ignore "this first born of civilization."

It is true that a high state of prosperity requires the promotion of every branch of industry, and the cultivation of all the arts and sciences; but agriculture is the precursor of all these, and from the character of our soil and the nature of our geographical position,

must be the great leading avocation of our people, and therefore the first interest to be considered and improved.

But the question recurs, how can this injunction of the Constitution be carried out, and the highest capabilities in the economy of field labor and general husbandry be attained, by anything which the State in its sovereign capacity can do?

It is believed that the first step in this direction, after affording due encouragement to county and state agricultural societies, is to establish an agricultural bureau as a distinct department of State, similar in its functions and appointments to the one proposed and enacted by one branch of your body three years ago, but lost in the other.

It should hold the same relation to the people of this State, that a similar department in the Patent Office at Washington City does to the whole country. Putting itself in connection with that Office, and all the agricultural societies in the land, its great office would be to introduce new and valuable seeds, both of the cereals and vegetables; direct their culture; gather up agricultural statistics and information from the best farmers everywhere, and disseminate the same largely among the generation of free laborers who now or may hereafter occupy our plains.

But, secondly, agriculture, in her higher aims and purposes, is a science, and demands the application of scientific knowledge to the labors of the field. This involves the necessity, at a proper time, of establishing agricultural schools, in connection with experimental farms, where the natural sciences bearing upon her domain, may be taught and applied; such as geology—organic chemistry—botany—physiology—zoology—atmospheric properties and influences, &c. To elaborate the connection between these sciences and the objects of agriculture, which has its out-goings in the infinite, is neither expected nor demanded in this communication.

I only speak of one other method of maintaining an elevated system of agriculture, and that is to keep all her manipulations and processes under the dominion of *free labor*.

To work is a privilege, as well as one of the conditions of life. Labor intelligently directed by the masses is the source of untold blessings, affecting no less the moral destiny of the race, than the physical improvement of the state. It is strange in this age of the world, and in a land of constitutional liberty, we are compelled

to insist upon the freedom of labor; yet the necessity of doing so, is no less strange than painful.

This birth-right of the American citizen has been seriously menaced, by a growing sentiment in favor of slave labor in one section of the Union. The two cannot exist upon the same soil. The introduction of the one is the disparagement of the other. They are natural and irreconcilable foes.

Free labor is diffusive in its benefits,—equalizes the condition of men—strengthens the moral principle of a country—is progressive in its movements, availing itself of the aids of science in its several departments of industry; whilst slave labor dispenses its benefactions to the few—presses hardly against the interest of the many—brings premature decrepitude upon the country, by its wasteful and exhausting tillage, and to *live* must not only enlarge but often change the field of its operations. This naturally induces a spirit for territorial aggrandizement in order to perpetuate slavery, and to extend the political power of one section of the Union, in derogation of the rights of the other, and has brought on a contest between freedom and slavery that has absorbed all the other political questions of the day.

The meeting of these two systems of labor face to face in Kansas, has imparted no little interest to this conflict. Passing by, however, the monstrous frauds, usurpations, violence, and utter disregard of the democratic principle of allowing the people to choose their own rulers and make their own laws, which thus far have marked the progress of this contest in that Territory, I beg leave to go back of all these, and refer to an assumption of power, or constitutional right, which has justly alarmed and excited the jealousy of the North, and, it is apprehended, will give long continuance and bitterness to this unfortunate contest. I allude to the recent interpretation of the Constitution of the United States which nationalizes slavery, and opens the door for its universality in all the Territories of the government. This extraordinary construction of the charter of our liberties, was first enunciated by the southern section of the Supreme Court in the Dred Scott case, afterwards adopted by one of the political parties of this country, and followed up by a distinct recognition on the part of the present Chief Magistrate of the Union.

This distinguished functionary has been pleased to inform the people of this country, that slavery, under the Constitution as now

expounded; may not only be extended beyond the bounds where it now is, but that it already exists practically or theoretically in all the national domain.

If this be so, the investiture of this privilege in 350,000 slave-owners, is a virtual abnegation of the rights of 25,000,000 of non-slaveholders in the occupancy of all these lands. For, it will be confessed that free and voluntary labor will not unite with involuntary and compulsory labor in reclaiming all these territories and transforming them into the culture, the arts and the adornments of civilization.

But, it is said from high authority, as a palliative for the exercise of this right under the Constitution to take and hold slaves upon the free territories of this country, that "*when the residents of such Territories proceed to form a State Constitution, then it is their right to decide the important question for themselves, whether they will continue, modify or abolish slavery.*"

But, how a right recognized and guaranteed by the Constitution of the United States, can be thus summarily disposed of, is not readily perceived. It must be founded upon the idea either that the Constitution is not the paramount law of the land, or that it contains a limitation upon this right. It is believed that neither of these postulates can be maintained: and it follows that if this right exists at all, it is an absolute, continuing right, as the other franchises of that venerable instrument are, which no State power can divest, either after it has been exercised, as in Kansas, or in anticipation of its exercise, as Iowa has attempted to do, in prohibiting it in her Constitution. If this construction be the true one, then, as a logical consequence, and as has already been claimed in some quarters, slavery exists theoretically in all the free states of this Union, and the right need only be asserted to make it so practically.

By thus interpreting the Constitution of the United States, so as to make it sanction the legal right to own and hold slaves wherever the flag of the Union goes, the people of the free North are made an involuntary party to all the evils, political and moral, which attach themselves to this institution, and must share with the South whatever responsibility there may be connected with it as a subsisting national establishment. They protest against being implicated in so great a wrong. To their moral sense, slavery is odious and forbidding. They had been accustomed to view it as a State

institution, over which neither they nor the General Government had any control.

But if this new political faith on a subject so exciting is now obtain, it must be regarded as the foreshadowing of evil days to the commonwealth. Under it, the enfranchisement of free labor is everywhere in peril. Iowa, the offspring of those liberal sentiments that prevailed in the better days of the Republic, when it was deemed no infringement either on the Constitution or the rights of the South, to consecrate *her soil to freedom*, has been no idle spectator of these aggressive movements against the rights of the North. In the late election, she recorded her protest against that perversion of the Constitution, which is breaking down one of the fortresses of liberty in this country. She has been taught to believe that that sacred instrument was intended as the "*bond of deliverance from all wrongs and freedom to all ranks.*" And whilst it is no part of her purpose to cherish animosities towards any one section of our common country, but would rather counsel peaceful relations and good neighborship, she intends to resist all inroads upon the faith and doctrines of the framers of the Constitution, as well as all encroachments upon the principles of political equality. And if it is permitted her to have limbs, free to toil, hearts, free to beat, and minds to think, she will continue to give evidence of her loyalty to the national Union, the perpetuity of which is the herald and pledge of "the hope, that comes to all."

RALPH P. LOWE.

Des Moines, January 13, 1858.

R E P O R T

OF THE

Commissioners Appointed to Locate and Superintend the Erection of a Building to be used as an Asylum for

T H E I N S A N E O F I O W A ,

A T O R N E A R M T. P L E A S A N T .

R E P O R T .

To the General Assembly of the State of Iowa :

The Commissioners appointed "to locate and superintend the erection of a building to be used as an Asylum for the Insane of the State of Iowa, at or near Mount Pleasant, in Henry County," by Act of the General Assembly, approved January 24th 1855, beg leave, in accordance with the requirements of the 11th Section of said Act, to submit the following report :

For the purpose of presenting their whole action in the premises, they will briefly recapitulate the main features of their former report.

On the 17th March, 1855, in discharge of their duty, they purchased a tract of land containing one hundred and seventy-three acres, near Mount Pleasant, well adapted in every respect for the purpose intended, and paid twenty-five dollars per acre for the same.

The act aforesaid having authorized the Commissioners to visit such Asylums as they might deem necessary before determining upon a plan of building, &c., they examined nine or ten of the principal Hospitals for the Insane, in the United States, and by personal inspection of these institutions, and the information furnished by their Superintendents and other officers, endeavored to make themselves thoroughly acquainted with the subject matter of their mission.

From this inspection and information they were convinced that the sum of fifty thousand dollars appropriated by the 6th Section of the Act aforesaid, was wholly inadequate to construct such a building as the wants of the State required, and further, that a Hospital should be erected as a whole, and not in detached parts.

In view therefore of the great importance of their trust, and with a full appreciation of their responsibility, the Commissioners adopted the plan of the Hospital now in progress of construction at Mount Pleasant.

This plan is for a building sufficient to accommodate about three hundred patients. It is thus described in their former Report:—
 “It will have an area of fifty thousand superficial feet, and the entire length of the foundation is twenty-two hundred and thirty feet. The wings running East and West from the center building uniformly, are three stories, being forty-two feet high. The center part will be four stories, or fifty-four feet high. The whole outside of the building to be cut stone, (that being the best material for Asylums) and lined or backed up with brick, leaving a vaulting, or space for dead air. The interior of the building to be divided into rooms entirely by brick walls, in which are to be carried all the flues for heating and ventilation. The heating will be done by hot water or steam, circulating in the basement, and the lighting by Gas.”
 The roof will be of galvanized iron, which material has been tested in this country and England, and is now much used to cover public buildings.

The Commissioners believing that the employment of a competent Superintendent to take charge of the construction of the Hospital would insure better work, at lower prices, than by letting it out by contract, selected HENRY WINSLOW for that purpose, who has been in charge of the building since 22d Oct., 1855. They take pleasure in adding that a more faithful and competent officer cannot be found.

The present condition of the building, the amount of money expended and labor performed, the materials on hand, &c., &c., are fully set forth in the Report of Mr. Winslow, the Superintendent hereto attached, marked A, and to which special attention is directed.

The first appropriation for the erection, &c., of the Hospital for the Insane, was made by Act of the General Assembly, approved January 24th, 1855, and was for the sum of fifty thousand dollars.

At the extra session of the Legislature, convened July 2d, 1856, an additional sum of fifty thousand dollars, and the proceeds of the sales of the Saline lands, were appropriated, and the limitation or restriction contained in the 6th Section of the Act of January 24th, 1855, was repealed.

The further sum of forty thousand dollars was appropriated by an Act approved January 28th, 1857.

A statement of the several amounts appropriated and expended will be found hereto attached and marked “B.”

The Commissioners are aware that the erection of Hospitals for

the Insane requires a large expenditure of money. The early construction of institutions of this character will be deemed true economy, when it is remembered that of all recent cases of insanity, eighty or ninety per cent recover, if properly treated, and of those neglected or improperly treated, very few get well.

The building in progress of erection at Mount Pleasant, was planned by the highest authority in the country, and when completed will be superior to any edifice of the kind in the West. No building of like character and architecture can be completed at a cost of less than two hundred, or two hundred and fifty thousand dollars. It is only those who are familiar with the subject, that can realize the large expenditure requisite to be made, and the paper marked "C" is hereto attached to afford some idea of the character of the buildings which the experience and intelligence of the age require for Hospitals for the Insane.

During the past season the Commissioners labored under many disadvantages, and the derangement of money matters throughout the country threw great and unexpected obstacles in their way. They have continued to progress with the work, and if liberally aided by the General Assembly, confidently expect to have the Hospital ready for the reception of patients during the present year.

The construction of the Hospital is a work of great magnitude, requiring time and money, and in order to complete it at the earliest possible period, they ask that a further appropriation of one hundred thousand dollars be made at the present session of the Legislature. This may be sufficient to complete the building, improve yards, erect out-houses, fences, &c., &c. It is desirable that the full amount necessary to finish the work, should be made at this session, as two years will probably elapse before the General Assembly meets again.

For the same reason the Commissioners recommend the passage of a law for the organization, management, &c., of the Hospital at Mount Pleasant. They reiterate the suggestions of their former Report, that the title "Hospital for the Insane," be adopted in all legislation on the subject.

They have pushed forward this work as rapidly as the aid furnished by the State would permit. They desire to see the Hospital made ready for patients at an early day. Humanity and economy demand that this shall be done. The Insane are calling from every quarter of the State for a place of refuge. They are calling from

jails, and poor-houses, and out-houses, and other miserable places for the speedy completion of this work. 'It is for the General Assembly to say how that call to which no ear should be deaf, shall be answered.

JAMES W GRIMES,
EDWARD JOHNSTON, } COMMISSIONERS.
CHARLES S. CLARKE, }

Mount Pleasant, Iowa,
January, 1st, 1858.

To the Hon. Board of Commissioners

of the Iowa State Hospital for the Insane:

GENTLEMEN:—I herewith submit my Second Annual Report of Expenditures for the Erection of the Hospital, which are as follows:

EXHIBIT A.

Amount expended prior to Dec. 1st,

1856, as per former report,.....\$45,215 20

Amount since expended,..... 93,333 13

————— \$138,548 33

Distributed as follows, to-wit:

Labor, ... \$45,926 70

Ironwork, ... 1,859 85

Merchandize, ... 1,340 75

Wood, ... 2,857 27

Excavating and Grading, ... 554 43

Salary of Superintendent, ... 2,876 47

Stock, ... 871 00

Lumber, ... 14,750 04

Provender, ... 571 13

Stone, ... 47,556 12

Fencing, ... 302 50

Vehicles, ... 186 00

Machinery, ... 2,037 61

Lime, ... 2,319 75

Sand, ... 3,631 51

Painting and Glazing, ... 1,280 22

Sash, ... 1,284 79

Brick, ... 3,338 06

Printing, ... 26 70

Plans, ... 757 50

Roofing, ... 2,102 95

Salary, &c., of Secretary, ... 300 00

Miscellaneous Items, ... 1,816 93

————— \$138,548 33

There have been manufactured on the ground about 2,000,000 of brick, of which there are now on hand about 400,000. We have also purchased 298,600—which have all been laid in the building, excepting the last kiln burned—the 400,000 above named.

The center wing of the building is fully enclosed. The east wing

is now two stories complete above the basement. The west wing is up as high as the second story windows.

There is on hand a sufficient amount of stone, cut and ready for use, to complete the east wing, and build the west wing ready for the third floor.

The window frames and sash are all made, and glass sufficient for the whole building are on hand.

The lumber is all cut for the doors, over 500 in number, and in a good state of forwardness.

There is nearly lumber enough on hand for the flooring timbers; also a portion of roofing timbers.

There are 150 cords of wood on hand, and one yoke of oxen has been sold, to be paid for in wood during the winter.

All of which is respectfully submitted.

HENRY WINSLOW, *Supt.*

MT. PLEASANT, Dec. 1, 1857.

P. S.—In the foregoing statement should have been included, the Steam Engine, Planing Machine, Brick Machine, other machinery, horses, mules, oxen, &c., now on hand.

EXHIBIT B.

Statement of Amounts appropriated for the Hospital for the Insane for the State of Iowa.

Amount appropriated by act approved Jan. 24, 1855, ..	\$ 50,000 00
Amount of proceeds of sale of Saline lands, ...	15,436 81
Amount appropriated by act approved July 14, 1856, ..	50,000 00
Amount appropriated by act approved Jan. 28, 1857, ...	40,000 00
	\$155,436 81

Amounts Expended.

Total amount expended under immediate direction of H. Winslow, Superintendent, prior to Dec. 1st, 1857, (see statement A,) \$138,548 34	
Total amount expended under immediate direction of Commissioners, for farm, av- enue, Commissioners' fees and inciden- tal expenses, prior to Dec. 1st, 1857, ...	5,274 37
Total amount of expenditures prior to Dec. 1st, 1857, ...	143,822 71
	\$ 11,614 10

EXHIBIT C.

Propositions relative to the Construction of Hospitals for the Insane.

At a meeting of "THE ASSOCIATION OF MEDICAL SUPERINTENDENTS OF AMERICAN INSTITUTIONS FOR THE INSANE," held in Philadelphia, May 21, 1851, the following propositions relative to the construction and arrangements of hospitals for the insane, after mature consideration, were unanimously adopted, and directed to be published in the Medical Journals of the continent, as the sentiments of the Association on the subjects referred to, viz:—

I. Every hospital for the insane should be in the country, not within less than two miles of a large town, and easily accessible at all seasons.

II. No hospital for the insane, however limited its capacity, should have less than fifty acres of land, devoted to gardens and pleasure-grounds for its patients. At least one hundred acres should be possessed by every State hospital, or other institution for two hundred patients, to which number these propositions apply, unless otherwise mentioned.

III. Means should be provided to raise ten thousand gallons of water, daily, to reservoirs that will supply the highest parts of the building.

IV. No hospital for the insane should be built, without the plan having been first submitted to some physician or physicians, who have had charge of a similar establishment, or are practically acquainted with all the details of their arrangements, and received his or their full approbation.

V. The highest number that can with propriety be treated in one building is two hundred and fifty, while two hundred is a preferable maximum.

VI. All such buildings should be constructed of stone or brick, have slate or metallic roofs, and, as far as possible, be made secure from accidents by fire.

VII. Every hospital, having provision for two hundred or more

patients, should have in it at least eight distinct wards for each sex, making sixteen classes in the entire establishment.

VIII. Each ward should have in it a parlor, a corridor, single lodging-rooms for patients, an associated dormitory, communicating with a chamber for two attendants; a clothes-room, a bath-room, a water-closet, a dining-room, a dumb waiter, and a speaking-tube leading to the kitchen, or other central part of the building.

IX. No apartments should ever be provided for the confinement of patients, or as their lodging-rooms, that are not entirely above ground.

X. No class of rooms should ever be constructed without some kind of window in each, communicating directly with the external atmosphere.

XI. No chamber for the use of a single patient should ever be less than eight by ten feet, nor should the ceiling of any story occupied by patients be less than twelve feet in height.

XII. The floors of patients' apartments should always be of wood.

XIII. The stairways should always be of iron, stone, or other indestructible material, ample in size and number, and easy of ascent, to afford convenient egress in case of accident from fire.

XIV. A large hospital should consist of a main central building with wings.

XV. The main central building should contain the offices, receiving-rooms for company, and apartments entirely private, for the superintending physician and his family, in case that officer resides in the hospital building.

XVI. The wings should be so arranged that, if rooms are placed on both sides of a corridor, the corridors should be furnished at both ends with movable glazed sashes, for the free admission of both light and air.

XVII. The lighting should be by gas, on account of its convenience, cleanliness, safety, and economy.

XVIII. The apartments for washing clothing, &c., should be detached from the hospital building.

XIX. The drainage should be underground, and all the inlets to the sewers should be properly secured to prevent offensive emanations.

XX. All hospitals should be warmed by passing an abundance of pure, fresh air from the external atmosphere, over pipes or plates, containing steam under low pressure, or hot water, the temperature

of which at the boiler does not exceed 212° F., and placed in the basement or cellar of the building to be heated.

XXI. A complete system of forced ventilation, in connection with the heating, is indispensable to give purity to the air of a hospital for the insane; and no expense that is required to effect this object thoroughly can be deemed either misplaced or injudicious.

XXII. The boilers for generating steam for warming the building should be in a detached structure, connected with which may be the engine for pumping water, driving the washing apparatus, and other machinery.

XXIII. All water-closets should, as far as possible, be made of indestructible materials, be simple in their arrangement, and have a strong downward ventilation connected with them.

XXIV. The floors of bath-rooms, water-closets, and basement stories, should, as far as possible, be made of materials that will not absorb moisture.

XXV. The wards for the most excited class should be constructed with rooms on but one side of a corridor, not less than ten feet wide, the external windows of which should be large, and have pleasant views from them.

XXVI. Wherever practicable, the pleasure grounds of a hospital for the insane should be surrounded by a substantial wall, so placed as not to be unpleasantly visible from the building.

Orders drawn by the Board of Commissioners on the State Treasurer:

In favor of Ford Barnes (No. 1.).....	\$100.00
“ “ “ Huldah Evans, (No. 2.).....	\$4,325.00—\$4,425.00
“ “ “ the Treasurer of the Board of Commissioners (Nos. 3 to 19 inclusive)	\$148,413.42
Total.....	<u>\$152,838.42</u>

Total amount of orders drawn by the
Board of Commissioners on the Treasurer
of the Board up to December 1st,
1857, (Nos. 1 to 19 inclusive).....\$849.37

Total amount of expenditures by the Superintendent
up to Dec. 1st, 1857....\$138,548.34

Total expenditures by Commissioners and
Sup't, (except for purchase of farm &c.) \$139,397.71

Recapitulation.

Amount expended by Commissioners—orders on State Treasurer.....	\$4,425.00
Amount expended by Commissioners—orders on Treasurer of Board.....	\$849.37
Amount expended by Superintendent—orders on Treasurer of Board.....	\$138,548.34
Total expenses for all purposes.....	<u>\$143,822.71</u>

R U L E S
OF THE
SUPREME COURT OF IOWA.

J. TREDDALE, STATE PRINTER.

RULES OF THE SUPREME COURT OF IOWA.

I.

At the commencement of each term, the causes will be called in order, but no cause will be tried on the first calling, nor shall any but a continued cause be tried on the first days of the term, unless by consent of parties. The same rule will be observed at any adjourned term, when the adjournment has been more than thirty days, unless specially ordered otherwise, at the time of the adjournment.

II.

Upon the second calling, either party has a right to a trial, unless for good cause shown. If passed by the consent of both parties, the cause will go to the foot of the docket, unless, for cause, the court shall otherwise direct.

III.

Causes submitted on written arguments will be disposed of without regard to their places on the docket.

IV.

Proof of the notice of appeal being served on the adverse party, must be made by copy of the notice, with the acknowledgment of service annexed, or by a return of the sheriff, or by affidavit of such service.

V.

If an appeal is taken, fifteen days prior to a regular term of this court, and the appellant fails to have the record filed with the clerk on the first day of the term, or if when taken within fifteen days of the term, he fails to have the case so docketed at the next succeeding term, the appellee, by producing a certificate of the clerk of the district court from which the appeal was taken, stating that notice of the appeal had been duly served on him, and that the record had

been prepared, may have the record filed and the cause docketed, and the appeal dismissed, or the judgment affirmed, as the court shall determine from the circumstances of the case.

VI.

If an appeal is taken at any time before a term of this court, the appellee may waive the notice of fifteen days and have the record filed, and cause tried on the first term after the appeal, unless the appellant show good cause for a continuance.

VII.

Errors must be assigned by the morning of the first day of the term, unless good cause be shown for the failure to do so, or unless the court, by a special order, extend the time.

VIII.

Assignments of error must not be vague and general, where the nature of the case will permit them to be otherwise, but must be explicit, and must point out with reasonable clearness, the objection to the judgment appealed from, or they will be treated as no assignment.

IX.

The court will regard those errors only which are assigned.

X.

If no joinder in errors be filed before the cause is regularly reached for trial, a general joinder will be regarded as having been put in.

XI.

All objections to form must be made before the cause is called for trial, otherwise they will be deemed waived.

XII.

Only two counsel will be heard on either side, except by special leave of the court, and the appellant will in all cases have the opening and concluding arguments.

XIII.

In case of the death of a party, the same rules shall apply as are provided by law for cases in the district court, as far as those rules are applicable.

XIV.

Motions for *certiorari*, or for diminution of record, must be in writing, founded on affidavit, unless the record makes the fact ap-

parent, or unless it is admitted by the adverse party. The application must be made at the first term after the appeal, unless sufficient cause be shown for the delay.

XV.

The opinions of the court must be immediately recorded by the clerk, the originals must then be placed in the hands of the reporter. As soon as they can be spared by him, they must be filed in the office of the clerk.

XVI.

All motions must be entered in the motion book, and shall stand over till next morning, after having been publicly called by the court, unless the parties otherwise agree.

XVII.

The party having the affirmative in any cause arising in chancery, shall have the right to open and conclude the argument, unless for cause, the court shall otherwise direct.

XVIII.

No appeal in chancery will be heard, until the party having the affirmative in this court, shall prepare for use in the argument and decision, a concise statement of the points in issue, and of the testimony. This rule will apply to cases at law where the record is voluminous, and it becomes necessary to examine the facts, to determine the legal questions involved; and in all such cases, where an appearance is had for the defence, such concise statement will be taken by the court as true, unless the defendant shall concisely and definitely point out, in writing, wherein the same is intended to be controverted.

XIX.

When the original papers in a cause in which final judgment is not rendered in this court, are brought upon appeal or writ of error, either party desiring to withdraw the same can have leave so to do, on filing a receipt for them with the clerk, and causing a copy to be made of those papers which constitute the record under section 1977 of the Code, and paying the clerk's fee therefor, which costs shall be taxed to the party failing in this court; and such copy shall be filed by the clerk, and kept as record in the cause. In cases where the costs of such withdrawal have not been charged in the first bill of costs, the clerk is authorized to charge them as costs of increase, and to issue execution therefor.

XX.

Copies of record and arguments shall be paged at the bottom of the page, and copies of record of more than five pages shall contain an index referring to the different pleadings and papers. Briefs and arguments are required to be signed by the counsel, stating whether for the plaintiff or defendant.

XXI.

In criminal causes, the plaintiff in error shall cause the transcript to be filed with the clerk of the Supreme Court, at least five days before the day set for the district, from which the cause may be brought.

XXII.

In criminal causes, the recognizance of the defendant, and in civil causes the supersedeas bond, (if one is filed,) or a certified copy thereof in either case, shall be sent up, although the party do not order it.

XXIII.

Transcripts of record, prepared for the Supreme Court, shall be made substantially in the manner following; that is to say:

STATE OF IOWA,)
JOHNSON COUNTY.)

Pleas before the District Court of Iowa, at a term begun and holden in the county of Johnson, on the first Monday of May, A. D. 1857, before the Hon. E. F., Judge of the Fourth Judicial District, of the State of Iowa.

A. B.)
v.) At law, or in chancery, as the case may be.
C. D.)

Be it remembered that heretofore, to-wit: on the first day of April, A. D. 1857, petition was filed in the office of the clerk of the District Court, in and for the county of Johnson, in the words and figures following, to-wit:

[Here copy the petition in full.]

Proceed in the same manner in relation to whatever paper is filed—such as the original notice, or a petition for attachment, &c.

If the cause has come from another county by the change of venue, begin as above, “Be it remembered,” and state

in like manner, all that was done in the county *from* which the venue was changed.

And afterward there was filed in the office of the said clerk a notice in the words and figures following, to-wit:

[Here copy the notice *in full*.]

Upon which (or attached to which) was a return as follows:

Copy the officer's return, with all indorsements in full; if the suit be by attachment, copy the petition or affidavit, writ of attachment, bond, notice, return, &c.

Copy all indorsements on the *face* of the transcript, or copy of record, and not upon the back of the leaf.

And afterward, to-wit: on the 27th day April, A. D. 1857, there was filed in the office of the said clerk an answer in the words and figures following, to-wit:

[Copy in full.]

Should the clerk doubt what the paper properly is, let him call it a "*paper* in the words and figures following," &c.

Where a paper is filed in term-time, add the day of the term to the day of the month, (as in the next form.)

A. B.)
vs.
 C. D.)

And afterward, to-wit: on the 4th day of May, A. D. 1857, it being the fourth day of the May term of the said Court, the said A. B. (or plaintiff) filed the following demurrer to the answer of the said C. D., (or of the said defendant,) to-wit:

[Copy the demurrer.]

If a party files more than one pleading at the same time, they should be numbered in their legal order, as for instance a demurrer, plea and answer, and the transcript may say,

——(stating the date)——the said C. D. (or defendant) filed his demurrer, plea and answer, which are filed *de bene esse*, (or, subject to the rule.)

A. B.)
vs.
 C. D.)

And now on this 5th day of May, A. D. 1857, it being the fifth day of the said May term thereof, this cause coming on for hearing

on the plaintiff's demurrer to the defendant's answer, (copy the entry of the proceedings of the court, sustaining or overruling the demurrer.)

And afterward on the 6th day of the said May, it being the sixth day of the said term, the said plaintiff filed his replication in the words and figures following, to-wit:

[Copy the replication.]

And afterward on the same day the said defendant filed motion and affidavit for a continuance, as follows, to-wit:

[Copy it.]

And the same being now heard and considered by the court, the said motion is sustained, and it is ordered that this cause be continued until the next term of the court, (at the cost of the defendant.)

DISTRICT COURT.

JOHNSON COUNTY.

} September term, A. D. 1857.

A. B. }

vs.

C. D. }

And now on this 12th day of September, it being the second day of said term, this cause coming on for trial, came a jury, to-wit:

.....
twelve good and lawful men, who were sworn well and truly to try the issue between the said parties, and a true verdict to render according to the law and evidence given them in court, the jury retired to consider on their verdict. And afterward on the same day the jury returned into court and rendered their verdict as follows:

[Copy it as entered of record.]

Or if the jury does not return until the next day.

A. B. }

vs.

C. D. }

And now on this 13th day of September, the jury in the foregoing cause returned into court and rendered their verdict as follows:

[Copy as put in form by the court.]

A. B. }

vs.

C. D. }

And afterward on the 14th day of September, A. D. 1857, being the fourth day of said term, the plaintiff (or defendant) filed his bill of exceptions, in the words and figures following, to-wit:

[Copy at large.]

A. B. }
 vs. }
 C. D. }

Now on this 15th day of September, A. D. 1857, the plaintiff filed his motion for a new trial, as follows, to-wit :

[Copy in full.]

A. B. }
 vs. }
 C. D. }

And now on this 16th day of September, A. D. 1857, this cause coming up for a hearing on the motion of the plaintiff for a new trial, it is considered by the court that the same be overruled, (or as the record entry may be.)

Then add final entries of record, comprising final judgment, &c., and certificate of clerk.

NOTE.—The foregoing is but an *example*, and is to be varied according to the circumstances. The actual facts of the case will dictate *what* is to be done, but in all cases it is to be done substantially in *like manner* with the above, giving the proper order and date of the filing of papers and incorporating them at the proper dates into the proceedings of the court.

It will be understood that it is not necessary in all instances to send up the *whole* of the record, but the clerk may be guided by the directions of the appellant, under section 1976 of the code. And he will observe section 1977 as to immaterial papers. Some qualifications are added in the prior rules.

XXIV.

After December term, 1857, all causes in this court will be heard on written or printed brief only, unless for sufficient cause the court shall otherwise direct. If a party desires to be heard orally, he shall serve on the opposite party, and file with the papers in the cause, a notice of his intention to apply to the court for permission to have the cause argued orally. The court will grant or deny the application in its discretion. In no other case will an argument at bar be heard.

XXV.

Attorneys of the District Court, of any county of the State, admitted to practice in this court, may submit their causes on written

or printed brief, filed with the clerk of this court, by complying with rule No. 26.

XXVI.

The party holding the affirmative in this court shall furnish to the opposite party, ten days before the sitting of the court, or before the cause is set for trial, a memorandum of the points made and authorities cited, with an abstract of the argument. After receiving which a like memorandum of points and authorities, with an abstract of the argument in reply, shall be furnished to the party holding the affirmative.

XXVII.

In case the appellant, or party holding the affirmative, fail to prepare and file for the use of the court in the argument and decision, a concise statement of the points in issue, and of the testimony, (as required by rule 18,) or in case of failure to furnish the opposite party a note of the points and authorities, and of the argument, as required by rule 26,) such opposite party may at the term at which the cause is entitled to be heard, file his statement and brief, and have the cause heard *ex parte*.

XXVIII.

In publishing the opinions of the court, it is enjoined on the reporter to print them in the order in which the causes are decided. A memorandum of the date of the decision of each cause should be appended in the margin. No opinion in any cause in which a petition for re-hearing is filed, will be published until the question of re-hearing is finally determined.

XXIX.

Appeals to this court are only perfected, as required by the code, section 1974, by notice to the clerk of the district court, and to the opposite party. Where a bond, however, to stay execution has been filed, and a notice of appeal served upon either the clerk or the adverse party, the appellee may file the transcript of the record in this court, and have the judgment affirmed for want of prosecution, as under rule 5.

XXX.

No person shall remove from the court room, or the office of the clerk, any record of this court, except upon special leave granted for that purpose. No record shall be taken from the files of the court, except on application to the court or clerk, and a receipt ex-

ecuted therefor. All records removed or taken from the files, shall be returned in such reasonable time as the court or clerk may direct, not exceeding five days. The clerk will report promptly to the court every violation of this rule. In no case will it be permitted to any person to remove any papers or records from the place in which the court holds its sessions.

XXXI.

Where appeals are taken less than fifteen days before the term, if the appellee designs insisting upon a hearing, or moving an affirmance of the judgment, at such term, he must give to the appellant notice in writing of such intention; and when the case is called it will be heard or continued as the circumstances of each case may seem to render proper and necessary.

SUPPLEMENTAL REPORT
OF THE
REGISTER OF THE STATE LAND OFFICE.

To the Speaker and House of Representatives :

I herewith submit for your consideration a supplemental Report of the Register of the State Land Office, touching matters pertaining to the condition of the Swamp Lands in this State, to which I would ask your careful attention.

RALPH P. LOWE.

R E P O R T .

STATE LAND OFFICE, DES MOINES, January 16, 1858.

To His Excellency, Ralph P. Lowe, Governor :

SIR:—Since the date of my report, facts have come to my knowledge, touching the interest of the State in the “Swamp Lands,” which I deem worthy of submitting for your consideration.

From a communication of the Surveyor General, I learn that the following additional counties have returned their lists of selections of swamp lands, viz :

Wapello,	Dubuque,
Mahaska,	Fayette,
Poweshiek,	Mitchell,
Tama,	Jackson,
Woodbury,	Ringgold.

The Commissioner of the General Land Office, in his Annual Report, sets forth the following States as having returned lists of selections of swamp lands, viz :

Ohio,	Louisiana,
Indiana,	Michigan,
Illinois,	Arkansas,
Missouri,	Florida,
Alabama,	Wisconsin,
Mississippi,	California,
Iowa—13,	

and that the total quantity selected by the thirteen States amounts to 54,174,281.76, at the date of June 30th, 1857.

The quantity selected by the several counties in this State is given as 1,752,296.20 acres.

The Commissioner further states that there have been “approved” to eleven of the above States (all except Iowa and California) the amount of 40,133,564.51 acres.

Why Iowa has not had her selections approved as well as her sister States, is perhaps owing to her failure to have any one especially to look after this interest, as the other States have.

The Commissioner has, as it is seen from the statement here given, thrown out about ten per cent. of the selections made by the States; but it is impossible to average it so as to conjecture what will be the quantity approved to this State, as in the case of some of the States their entire selections are approved, while in others large reductions are made.

The lands to which this State is justly entitled, under the act of September 28, 1850, are estimated to be worth at least \$5,000,000, certainly a sum sufficiently large to demand prompt attention at our hands.

It is also estimated, from the best data obtainable, that fifty per cent. of these lands have been entered under the act of March 2d, 1855, referred to in my report, and probably seventy-five per cent. of these entries have been made with "warrants."

For the twenty-five per cent. as cash entries, the State is entitled to the money received; and for the other seventy-five per cent. entered with warrants, upon all selections approved by the Commissioner, the State is entitled to scrip to enable her to enter other lands in lieu thereof.

From the public papers, we learn that the Commissioner of the General Land Office has restored to market certain lands in the State which had before been withdrawn, and there can be but little doubt that within a very short time after the date of their being so offered for sale, (to-wit, the 15th of February next,) the most, if not the whole of the same, will be entered by speculators, who have flooded the State with warrants for this purpose.

When these lands are once entered, and the State comes into the possession of the scrip to which she is entitled, for the purpose of entering lands in lieu of those of the swamp land selections, permitted to be entered by the aforesaid act of Congress of March 2d, 1855, the very grave question arises, where is the State to select the lands to which she will hereafter be entitled, when her selection shall have been approved? She must go to the Territories, for all the lands in her own limits will have been exhausted.

Under these circumstances, is it not advisable to seek the interposition of the General Assembly, by a respectful memorial to the President of the United States, to again withdraw these lands from

market, until the selection to the State shall have been approved, the scrip to which she will be entitled received, and lands selected therewith, in lieu of those entered by individuals under the aforesaid act of March 2d, 1855.

While thus communicating, I beg leave to subjoin the following extract from the Report of the Commissioner of the General Land Office, relating to the Des Moines River Lands.

DES MOINES RIVER GRANT IN IOWA.

Under act of Congress approved 8th of August, 1846, the account under this law stands as follows:

Quantity approved by the State, as per exhibit in last annual report,.....725,283.92 acres.

To this add list approved March 10, 1852,...143,908.37 “

—
Making total approved for the grant of.....869,192.29 “

The question as to the extent of this grant, under the decision of your predecessor, has been fully considered in the Attorney General's opinion of 29th May, 1856, (Opinions, vol. 7, page 69;) and the conclusion at which he arrived, as sanctioned by your immediate predecessor, is to this effect:

That a proposition be made to the State of Iowa and its assigns to acquiesce in and accept the decision of Secretary Stuart as final, which gives to the State the lands along the course of the Des Moines up to the northern boundary of the State; provided the State, or its assigns, agree to acquiesce in and accept that decision as final.

The Attorney General further holds that if the State declines the propositions, the Secretary is discharged from any obligation to act on the decision of Mr. Walker and Mr. Stuart, and must fall back on the first decision of the government, and refuse to approve any more selections above Raccoon Fork. No final action on the part of the State authorities in the matter has yet been filed in this office.

The lands above the Raccoon Fork are intersected by three of the railroad grants under act of 15th May, 1856.

Respectfully, &c.,

T. S. PARVIN.

REPORT
OF THE
TREASURER OF STATE

TO THE
GOVERNOR OF IOWA.

NOVEMBER 1, 1857.

DES MOINES, IOWA.

1857.
DES MOINES, IOWA
J. TEESDALE, STATE PRINTER.

J. TEESDALE, PRINTER,
REPUBLICAN PRINT, WASHINGTON STREET,
IOWA CITY, IOWA.

TREASURY DEPARTMENT, IOWA,
DES. MOINES, Nov. 1, 1857.

To his Excellency,

JAMES W. GRIMES,

Governor of Iowa:

SIR,—In accordance with the law, I have the honor of transmitting you a REPORT of the FINANCES of the State, for the fiscal year past, commencing on the first day of November, 1856, and ending on the 31st day of October, 1857. I also append a tabular statement showing what disposition has been made of the "*Five per cent. Fund*," received up to the 5th of March last. The Fund received since that time, as you will perceive, has not been apportioned—preferring to leave the matter for further legislation, as the present mode seems to be impracticable. You will also find embraced in this Report the condition of the "*Saline Land Fund*," so far as this office is concerned.

All of which is respectfully submitted.

MARTIN L. MORRIS,

State Treasurer.

TREASURER'S REPORT.

MARTIN L. MORRIS in account with the State of Iowa. Dr.

1856			
November	1	To Balance from last year	\$11,254 91
"	10	Tama Co., T. J. Staley, Tr. By Revenue	48 00
"	17	Clayton Co., B. F. Fox, Tr. By Revenue	250 00
"	25	Clinton Co., T. F. Butterfield, Tr. By Revenue	891 12
"	"	Boone Co., C. W. Hamilton, Tr. By Revenue	8 28
December	2	Louisa Co., S. Townsend, Tr. By Revenue	54 00
"	"	Recd. of G. W. McCleary, late Sec. of State, for the Sale of Codes and Laws	174 00
Carried forward			\$12,680 31

MARTIN L. MORRIS in account with the State of Iowa. Dr.

1856		Amount brought forward	\$12,680 31
December	3	Chickasaw Co., ———, Tr. By Revenue	100 00
"	9	Keokuk Co., A. C. Romig, Tr. By Revenue	15 45
"	"	Cedar Co., H. C. Piatt, Tr. By Revenue	6 46
"	10	Johnson Co., Thos. Hughes, Tr. By Revenue	394 89
"	13	Bremer Co., W. B. Hamilton, Tr. By Revenue	3 72
"	17	Iowa Co., E. C. Hendershott, Tr. By Revenue	78 00
"	20	Iowa Co., E. C. Hendershott, Tr. By Revenue	86 80
"	26	Borrowed from the five per cent. fund	57,500 00
"	30	Wapello Co., P. Knox, Tr. By Revenue	1,000 00
		Carried forward	\$71,865 63

TREASURER'S REPORT.

7

MARTIN L. MORRIS in account with the State of Iowa. DR.

1857		Amount brought forward	\$71,865 63
January	1	Van Buren Co., T. Rankin, Tr. By Revenue	1,100 00
"	5	Fayette Co., P. L. Hinkley, Tr. By Revenue	89 43
"	"	Dubuque Co., M. Obrien, Tr. By Revenue	2,698 00
"	"	Jasper Co., A. T. Ault, Tr. By Revenue	2,000 00
"	6	Linn Co., Mr. Day, Tr. By Revenue	3,512 40
"	"	Cedar Co., H. C. Piatt, Tr. By Revenue	1,000 00
"	"	Tama Co., T. J. Staley, Tr. By Revenue	689 30
"	"	Polk Co., S. M. Dyer, Tr. By Revenue	6 21
"	"	Story Co., Tr. By Revenue	1 68
		Carried forward	\$82,962 65

MARTIN L. MORRIS in account with the State of Iowa. Dr.

1857		Amount brought forward	\$82,962 65
January	6	Clinton Co., T. F. Butterfield, Tr. By Revenue	324 83
"	"	Adair Co., J. E. Chapman, Tr. By Revenue	149 45
"	"	Grundy Co., T. G. Copps, Tr. By Revenue	100 00
"	"	Guthrie Co., Tr., By Revenue	20 00
"	"	Blackhawk Co., O. E. Hardy, Tr. By Revenue	56 35
"	7	Wapello Co., P. Knox, Tr. By Revenue	200 00
"	8	Van Buren Co., T. Rankin, Tr. By Revenue	1,500 00
"	9	Scott Co., J. McCosh, Tr. By Revenue	22 20
"	"	Received from the Governor	5 45
		Carried forward	\$85,340 93

TREASURER'S REPORT.

9

MARTIN L. MORRIS in account with the State of Iowa. DR.

1857		Amount brought forward	\$85,340 93
January	9	Poweshiek Co., M. A. Malone, Tr. By Revenue	1,083 30
"	10	Floyd Co., J. Jackson, Tr. By Revenue	700 00
"	"	Polk Co., S. M. Dyer, Tr. By Revenue	2,024 00
"	"	Lucas Co., A. Hull, Tr. By Revenue	1,000 00
"	"	Mills Co., A. Richardson, Tr. By Revenue	482 00
"	12	Lucas Co., A. Hull, Tr. By Revenue	8 86
"	"	Monroe Co., D. A. Noble, Tr. By Revenue	1,035 15
"	13	Warren Co., P. S. Cocke, Tr. By Revenue	2,500 00
"	"	Boone Co., C. W. Hamilton, Tr. By Revenue	1,167 00
"	14	Blackhawk Co., O. E. Hardy, Tr. By Revenue	950 00
"	15	Johnson Co., Thos. Hughes, Tr. By Revenue	2,743 25
		Carried forward	\$99,034 49

MARTIN L. MORRIS in account with the State of Iowa. Dr.

1857		Amount brought forward	\$99,034 49
January	15	Clinton Co., T. F. Butterfield, Tr. By Revenue	31 10
"	"	Wayne Co., John Hays, jr., Tr. By Revenue	1,000 00
"	"	Jefferson Co., T. B. Shamps, Tr. By Revenue	1,012 38
"	"	Mitchell Co., J. M. Smith, Tr. By Revenue	250 00
"	"	Mahaska Co., W. Moreland, Tr. By Revenue	3,000 00
"	"	Benton Co., J. W. Filkins, Tr. By Revenue	1,460 00
"	"	Cerro Gordo Co., C. Huntly, Tr. By Revenue	294 00
"	"	Cedar Co., H. C. Piatt, Tr. By Revenue	2,791 00
"	"	Marion Co., D. Stanfield, Tr. By Revenue	1,000 00
"	16	Keokuk Co., A. C. Romig, Tr. By Revenue	1,549 07
"	"	Des Moines Co., J. P. Chapman, Tr. By Revenue	2,500 00
		Carried forward	\$113,922 84

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MARTIN L. MORRIS in account with the State of Iowa. Dr.

1857		Amount brought forward	\$113,922 84
January	16	Buchanan Co., H. G. Hastings, Tr. By Revenue	10 08
"	"	Benton Co., J. W. Filkins, Tr. By Revenue	112 10
"	"	Butler Co., D. C. Hilton, Tr. By Revenue	650 00
"	"	Iowa Co., E. C. Hendershott, Tr. By Revenue	21 48
"	"	Wapello Co., P. Knox, Tr. By Revenue	3 00
"	"	Muscatine Co., Mr. Robb, Tr. By Revenue	5 58
"	"	Washington Co., Mr. Cox, Tr. By Revenue	6 70
"	"	Scott Co., J. McCosh, Tr. By Revenue	10 09
"	"	Bremer Co., W. B. Hamilton, Tr. By Revenue	763 00
"	"	Marshall Co., Thos. Mercer, Tr. By Revenue	1,400 00
"	17	Davis Co., Geo. Duffield, Tr. By Revenue	753 50
		Carried forward	\$117,658 37

MARTIN L. MORRIS in account with the State of Iowa. DR.

1857		Amount brought forward	\$117,658 37
January	17	Appanoose Co., Jas. Hughes, Tr. By Revenue	849 67
"	"	Howard Co., F. H. Jewett, Tr. By Revenue	100 00
"	"	Winneshiek Co., N. Burdick, Tr. By Revenue	1,397 00
"	"	Van Buren Co., T. Rankin, Tr. By Revenue	521 64
"	19	Taylor Co., Wm. N. McFee, Tr. By Revenue	242 66
"	"	Washington Co., S. M. Cox, Tr. By Revenue	3,396 76
"	"	Polk Co., S. M. Dyer, Tr. By Revenue	1,500 00
"	"	Dubuque Co., M. Obrien, Tr. By Revenue	4,750 00
"	"	Scott Co., J. McCosh, Tr. By Revenue	2,200 00
"	"	Iowa Co., E. C. Hendershott, Tr. By Revenue	1,200 00
"	"	Wright Co., O. W. McIntosh, Tr. By Revenue	12 00
		Carried forward	\$133,928 10

TREASURER'S REPORT.

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MARTIN L. MORRIS in account with the State of Iowa. Dr.

1857		Amount brought forward	\$133,928 10
January	19	Dallas Co., J. P. Eckles, Tr. By Revenue	1,006 70
"	20	Decatur Co., J. Jordon, Tr. By Revenue	900 00
"	"	Hardin Co., S. Smith, Tr. By Revenue	486 00
"	"	Cass Co., S. M. Tucker, Tr. By Revenue	286 70
"	"	Jones Co., J. J. Hubber, Tr. By Revenue	2,455 00
"	21	Madison Co., S. M. Tidrick, Tr. By Revenue	1,324 80
"	"	Ringgold Co., J. W. Coper, Tr. By Revenue	67 30
"	"	Henry Co., W. S. Viney, Tr. By Revenue	1,050 00
"	22	Muscatine Co., Mr. Robb, Tr. By Revenue	2,398 74
"	23	Louisa Co., S. Townsend, Tr. By Revenue	1,500 00
"	"	Benton Co., J. W. Filkins, Tr. By Revenue	53 00
		Carried forward	\$145,456 34

MARTIN L. MORRIS in account with the State of Iowa. DR.

1857		Amount brought forward	\$145,456 34
January	24.	Fayette Co., P. L. Hinkley, Tr. By Revenue	1,000 00
"	"	Buchanan Co., H. G. Hastings, Tr. By Revenue	8 51
"	26	Poweshiek Co., M. A. Malone, Tr. By Revenue	2 00
"	"	Madison Co., L. M. Tidrick, Tr. By Revenue	1 25
"	"	Polk Co., S. M. Dyer, Tr. By Revenue	2 10
"	"	Warren Co., P. S. Cocke, Tr. By Revenue	2 86
"	"	Blackhawk Co., O. E. Hardy, Tr. By Revenue	9 35
"	"	Webster Co., Tr. By Revenue	1 00
"	27	Greene Co., S. G. Crumly, Tr. By Revenue	525 80
"	"	Marshall Co., T. Mercer, Tr. By Revenue	38 58
"	"	Webster Co., L. L. Pease, Tr. By Revenue	23 40
		Carried forward	\$147,066 19

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MARTIN L. MORRIS in account with the State of Iowa. Dr.

1857		Amount brought forward	\$147,066 19
January	28	Clinton Co., T. F. Butterfield, Tr. By Revenue	1,021 08
"	"	Wright Co., O. W. McIntosh, Tr. By Revenue	208 50
"	"	Dubuque Co., M. Obrien, Tr. By Revenue	140 00
"	"	Dubuque Co., M. Obrien, Tr. By Revenue	468 00
"	29	Iowa Co., E. C. Hendershott, Tr. By Revenue	29 00
"	30	Delaware Co., G. Watson, Tr. By Revenue	1,000 00
"	"	Van Buren Co., T. Rankin, Tr. By Revenue	300 00
"	"	Webster Co., L. L. Pease, Tr. By Revenue	720 82
"	"	Adams Co., John Colvin, Tr. By Revenue	255 85
"	"	Adair Co., M. Chapman, Tr. By Revenue	21 00
"	31	Poweshiek Co., M. A. Malone, Tr. By Revenue	700 00
		Carried forward	\$151,930 44

MARTIN L. MORRIS in account with the State of Iowa. Dr.

1857		Amount brought forward	\$150,930 44
January	31	Iowa Co., E. C. Hendershott, Tr. By Revenue	50 00
"	"	Iowa Co., E. C. Hendershott, Tr. By Revenue	95 73
"	"	Bremer Co., W. B. Hamilton, Tr. By Revenue	14 07
February	2	Clarke Co., R. Becket, Tr. By Revenue	815 46
"	"	Clayton Co., B. F. Fox, Tr. By Revenue	250 00
"	"	Jasper Co., A. T. Ault, Tr. By Revenue	88 41
"	3	Story Co., Tr. By Revenue	26 00
"	"	Union Co., Tr. By Revenue	241 23
"	5	Cerro Gordo Co., C. H. Huntly, Tr. By Revenue	16 80
"	"	Johnson Co., Thos. Hughes, Tr. By Revenue	62 60
"	6	Iowa Co., E. C. Hendershott, Tr. By Revenue	12 00
		Carried forward	\$153,602 74

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MARTIN L. MORRIS in account with the State of Iowa. Dr.

1857		Amount brought forward	\$153,602 74
February	7	Mahaska Co., W. Moreland, Tr. By Revenue	16 12
"	"	Benton Co., J. W. Filkins, Tr. By Revenue	30 00
"	"	Blackhawk Co., O. E. Hardy, Tr. By Revenue	12 46
"	12	Iowa Co., E. C. Hendershott, Tr. By Revenue	14 13
"	13	Harding Co., S. Smith, Tr. By Revenue	18 70
"	"	Powesheik Co., M. A. Malone, Tr. By Revenue	33 15
"	"	Tama Co., T. J. Staley, Tr. By Revenue	36 26
"	"	Iowa Co., E. C. Hendershott, Tr. By Revenue	43 60
"	14	Iowa Co., E. C. Hendershott, Tr. By Revenue	45 20
"	20	Benton Co., J. W. Filkins, Tr. By Revenue	3 60
"	"	Adair Co., J. C. Chapman, Tr. By Revenue	6 72
2		Carried forward	\$153,862 68

MARTIN L. MORRIS in account with the State of Iowa. DR.

1857		Amount brought forward	\$152,862 68
February	20	Jackson Co., J. Pope, Tr. By Revenue	3 68
"	"	Audubon Co., A. Hamlin, Tr. By Revenue	42 00
"	"	Iowa Co., E. C. Hendershott, Tr. By Revenue	29 00
"	"	Story Co., J. C. Moss, Tr. By Revenue	1 68
"	"	Powesheik Co., M. A. Malone, Tr. By Revenue	8 36
"	"	Madison Co., L. M. Tidrick, Tr. By Revenue	6 25
"	"	Washington Co., S. M. Cox, Tr. By Revenue	2 17
"	"	Benton Co., J. W. Filkins, Tr. By Revenue	5 36
"	23	Jasper Co., A. T. Ault, Tr. By Revenue	500 00
"	"	Crawford Co., B. F. Wicks, Tr. By Revenue	83 95
		Carried forward	\$154,545 13

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MARTIN L. MORRIS in account with the State of Iowa Dr.

1857		Amount brought forward	\$154,545 13
February	23	Webster Co., L. L. Pease, Tr. By Revenue	50 00
"	"	Benton Co., J. W. Filkins, Tr. By Revenue	46 14
"	"	Fayette Co., P. L. Hinkley, Tr. By Revenue	17 36
"	"	Muscatine Co., W. G. Robb, Tr. By Revenue	620 00
"	24	Ringgold Co., J. W. Coper, Tr. By Revenue	4 11
"	"	Keokuk Co., A. C. Romig, Tr. By Revenue	3 57
"	28	Louisa Co., S. Townsend, Tr. By Revenue	1,000 00
"	"	Clinton C., T. F. Butterfield, Tr. By Revenue	24 00
"	"	Scott Co., J. McCosh, Tr. By Revenue	4,000 00
March	3	Fayette Co., P. L. Hinkley, Tr. By Revenue	5 15
"	"	Powesheik Co., M. A. Malone, Tr. By Revenue	18 00
		Carried forward	\$160,333 96

MARTIN L. MORRIS in account with the State of Iowa. **Dr.**

1857		Amount brought forward	\$160,333 96
March	5	Iowa Co., E. C. Hendershott, Tr. By Revenue	5 00
"	7	Keokuk Co., A. C. Romig, Tr. By Revenue	900 00
"	"	Keokuk Co., A. C. Romig, Tr. By Revenue	20 00
"	"	Linn Co., Mr. Day, Tr. By Revenue	4 25
"	"	Washington Co., S. M. Cox, Tr. By Revenue	22 70
"	"	Tama Co., T. J. Staley, Tr. By Revenue	125 50
"	"	Wright Co., O. W. McIntosh, Tr. By Revenue	15 50
"	9	Tama Co., T. J. Staley, Tr. By Revenue	2 50
"	"	Wright Co., O. W. McIntosh, Tr. By Revenue	35 00
"	10	Buchanan Co., H. G. Hastings, Tr. By Revenue	1,000 00
"	"	Shelby Co., Z. B. Holcombe, Tr. By Revenue	8 40
		Carried forward	\$162,472 81

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MARTIN L. MORRIS in account with the State of Iowa. DR.

1857		Amount brought forward	\$162,472 81
March	10	Dallas Co., J. P. Eckles, Tr. By Revenue	7 36
"	"	Greene Co., J. Orr, Tr. By Revenue	38 04
"	"	Hardin Co., S. C. Smith, Tr. By Revenue	8 46
"	"	Alamakee Co., L. O. Hatch, Tr. By Revenue	767 90
"	17	Des Moines Co., J. P. Chapman, Tr. By Revenue	3,002 89
"	"	Tama Co., T. J. Staley, Tr. By Revenue	326 65
"	20	Franklin Co., J. Miller, Tr. By Revenue	111 15
"	"	Howard Co., F. H. Jewett, Tr. By Revenue	13 40
"	"	Calhoun Co., C. Amy, Tr. By Revenue	20 69
"	21	Scott Co., J. McCosh, Tr. By Revenue	6 00
"	23	Story Co., J. C. Moss, Tr. By Revenue	856 84
		Carried forward	\$167,632 28

MARTIN L. MORRIS in account with the State of Iowa. **Dr.**

1857		Amount brought forward	\$167,632 28
March	24	Powesheik Co., M. A. Malone, Tr. By Revenue	13 40
"	"	Iowa Co., E. C. Hendershott, Tr. By Revenue	9 00
"	27	Butler Co., D. C. Hilton, Tr. By Revenue	11 16
"	28	Keokuk Co., A. C. Romig, Tr. By Revenue	2 30
"	30	Hardin Co., S. C. Smith, Tr. By Revenue	7 00
"	31	Decatur Co., J. Jordan, Tr. By Revenue	400 00
"	"	Cedar Co., H. C. Piatt, Tr. By Revenue	49 90
April	7	Adair Co., J. E. Chapman, Tr. By Revenue	14 00
"	10	Buchanan Co., H. G. Hastings, Tr. By Revenue	1,000 00
"	13	Wright Co, O. W. McIntosh, Tr. By Revenue	12 00
"	14	Audubon Co., N. Hamlin, Tr. By Revenue	171 60
		Carried forward	\$169,322 64

TREASURER'S REPORT.

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MARTIN L. MORRIS in account with the State of Iowa. DR.

1857	Amount brought forward	\$169,322 64
April 14	Wright Co., O. W. McIntosh, Tr. By Revenue	13 50
" "	Delaware Co., G. Wattson, Tr. By Revenue	790 00
" "	Delaware Co., Geo. Wattson, Tr. By Revenue	17 60
" 16	Tama Co., T. J. Staley, Tr. By Revenue	17 00
" 17	Tama Co., T. J. Staley, Tr. By Revenue	22 32
" "	Chickasaw Co., G. W. Howard, Tr. By Revenue	12 06
" "	Howard Co., F. H. Jewett, Tr. By Revenue	14 66
" 18	Franklin Co., J. Miller, Tr. By Revenue	42 12
" "	Howard Co., F. H. Jewett, Tr. By Revenue	188 26
" "	Davis Co., Geo. Duffield, Tr. By Revenue	385 82
" 20	Davis Co., Geo. Duffield, Tr. By Revenue	1,000 00
	Carried forward	\$171,825 98

MARTIN L. MORRIS in account with the State of Iowa. DR.

1857		Amount brought forward	\$171,825 98
April	21	Chickasaw Co., G. W. Howard, Tr. By Revenue	500 00
"	23	Wapello Co., P. Knox, Tr. By Revenue	1,623 91
"	"	Lee Co., R. McFarland, Tr. By Revenue	5,860 20
"	29	Iowa Co., E. C. Hendershott, Tr. By Revenue	17 48
"	"	Butler Co., D. C. Hilton, Tr. By Revenue	4 00
May	2	Washington Co., S. M. Cox, Tr. By Revenue	641 04
"	"	Iowa Co., E. C. Hendershott, Tr. By Revenue	15 80
"	4	Delaware Co., Geo. Wattson, Tr. By Revenue	250 00
"	8	Grundy Co., Tr. By Revenue	184 44
"	9	Guthrie Co., W. L. Henderson, Tr. By Revenue	17 92
"	12	Iowa Co., E. C. Hendershott, Tr. By Revenue	500 00
		Carried forward	\$180,940 77

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MARTIN L. MORRIS in account with the State of Iowa. Dr.

1857		Amount brought forward	\$180,940 77
May	12	Clayton Co., B. F. Fox, Tr. By Revenue	2,500 00
"	20	Benton Co., J. W. Filkins, Tr. By Revenue	570 77
"	"	Ringgold Co., J. W. Coper, Tr. By Revenue	319 24
"	21	Jefferson Co., Thos. B. Shamps, Tr. By Revenue	1,411 00
"	"	Monroe Co., D. A. Noble, Tr. By Revenue	375 00
"	"	Winnesheik Co., N. Burdick, Tr. By Revenue	400 00
"	27	Guthrie Co., W. L. Henderson, Tr. By Revenue	586 97
"	"	Jackson Co., John Pope, Tr. By Revenue	3,350 97
"	"	Boone Co., C. W. Hamilton, Tr. By Revenue	382 00
"	29	Butler Co., D. Hilton, Tr. By Revenue	176 40
June	2	Franklin Co., J. Miller, Tr. By Revenue	219 00
		Carried forward	\$191,232 12

MARTIN L. MORRIS in account with the State of Iowa. DR.

1857,		Amount brought forward	\$191,232 12
June	2	Adair Co., M. Chapman, Tr. By Revenue	8 67
"	"	Jasper Co., A. T. Ault, Tr. By Revenue	404 00
"	"	Fayette Co., P. L. Hinkley, Tr. By Revenue	600 00
"	4	Clinton Co., T. F. Butterfield, Tr. By Revenue	503 33
"	"	Taylor Co., W. C. Kerr, Tr. By Revenue	460 00
"	5	Poweshiek Co., M. A. Malone, Tr. By Revenue	450 00
"	"	Calhoun Co., C. Amy, Tr. By Revenue	110 00
"	"	Dubuque Co., M. Obrien, Tr. By Revenue	4,780 42
"	9	Henry Co., W. S. Viney, Tr. By Revenue	2,018 98
"	10	Cedar Co., H. C. Piatt, Tr. By Revenue	869 00
"	15	Cedar Co., H. C. Piatt, Tr. By Revenue	254 66
		Carried forward	\$201,691 18

TREASURER'S REPORT.

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MARTIN L. MORRIS in account with the State of Iowa. DR.

1857		Amount brought forward	\$201,691 18
June	15	Clinton Co., T. F. Butterfield, Tr. By Revenue	300 00
"	"	Madison Co., L. M. Tidrick, Tr. By Revenue	570 00
"	"	Butler Co., D. C. Hilton, Tr. By Revenue	21 85
"	17	Alamakee Co., L. O. Hatch, Tr. By Revenue	400 00
"	22	Carroll Co., A. Basom, Tr. By Revenue	160 77
"	"	Cedar Co., H. C. Piatt, Tr. By Revenue	7 98
"	"	Benton Co., J. W. Filkins, Tr. By Revenue	1 98
"	24	Appanoose Co., Jas. Hughes, Tr. By Revenue	742 00
"	"	Dallas Co., J. P. Eckles, Tr. By Revenue	400 00
"	25	Hardin Co., S. Smith, Tr. By Revenue	850 00
"	"	Fremont Co., H. G. Bowen, Tr. By Revenue	350 00
		Carried forward	\$205,495 76

MARTIN L. MORRIS in account with the State of Iowa. Dr.

1857		Amount brought forward	\$205,495 76
June	27	Bremer Co., W. B. Hamilton, Tr. By Revenue	200 00
"	30	Mitchell Co., J. M. Smith, Tr. By Revenue	200 00
July	2	Jasper Co., A. T. Ault, Tr. By Revenue	300 00
"	6	Keokuk Co, A. C. Romig, Tr. By Revenue	19 82
"	"	Page Co., C. McBee, Tr. By Revenue	614 25
"	10	Johnson Co., T. M. Gardner, Ex-Tr. By Revenue	885 51
"	17	Union Co., S. M. Robinson, Tr. By Revenue	337 68
"	18	Grundy Co., T. G. Copps, Tr. By Revenue	13 50
"	"	Powesheik Co., M. A. Malone, Tr. By Revenue	7 30
"	23	Dubuque Co., M Obrien, Tr. By Revenue	3,826 39
"	"	Tama Co., T. J. Staley, Tr. By Revenue	20 25
Carried forward			\$211,920 46

TREASURER'S REPORT.

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MARTIN L. MORRIS in account with the State of Iowa. Dr.

1857		Amount brought forward	\$211,920 46
July	29	Monroe Co., D. A. Noble, Tr. By Revenue	300 00
August	1	Monona Co., W. Benton, Tr. By Revenue	11 75
	6	Jefferson Co., T. B. Shamps, Tr. By Revenue	79 52
"	10	Adams Co., J. H. Colvin, Tr. By Revenue	360 56
"	12	Grundy Co., Thos. G. Copp, Tr. By Revenue	14 50
"	13	Grundy Co., Thos. G. Copp, Tr. By Revenue	578 16
"	"	Scott Co., J. McCosh, Tr. By Revenue	1,891 68
"	"	Johnson Co., Thos. Hughes, Tr. By Revenue	2,485 59
"	15	Van Buren Co., F. Rankin, Tr. By Revenue	728 65
"	"	Lucas Co., A. J. Hull, Tr. By Revenue	500 00
"	18	Keokuk Co., A. C. Romig, Tr. By Revenue	800 00
		Carried forward	\$219,670 87

MARTIN L. MORRIS in account with the State of Iowa. Dr.

1857		Amount brought forward	\$219,670 87
August	18	Winnesheik Co., N. Burdick, Tr. By Revenue	440 00
"	19	Butler Co., D. C. Hilton, Tr. By Revenue	491 62
"	"	Linn Co., N. M. Day, Tr. By Revenue	1,779 11
"	21	Mahaska Co., W. Moreland, Tr. By Revenue	964 86
"	22	Muscatine Co., W. G. Robb, Tr. By Revenue	4,549 55
"	24	Dallas Co., J. P. Eckles, Tr. By Revenue	6 45
"	25	Blackhawk Co., O. E. Hardy, Tr. By Revenue	1,700 77
"	26	Marion Co., D. Stanfield, Tr. By Revenue	2,046 00
"	27	Clarke Co., R. Becket, Tr. By Revenue	642 89
"	"	Iowa Co., E. C. Hendershott, Tr. By Revenue	287 66
"	31	Webster Co., L. L. Pease, Tr. By Revenue	152 24
		Carried forward	\$232,732 02

MARTIN L. MORRIS in account with the State of Iowa. Dr.

1857		Amount brought forward	\$232,732 02
September 1	Buchanan Co., W. G. Tr. By Revenue		529 04
" 9	Franklin Co., S. Smith, Tr. By Revenue		14 05
" 10	Iowa Co., E. C. Hendershott, Tr. By Revenue		10
" "	Ringgold Co., J. W. Coper, Tr. By Revenue		672 64
" "	Jasper Co., A. T. Ault, Tr. By Revenue		600 00
" "	Jasper Co., E. Hammer, Tr. By Revenue		785 75
" 14	Boone Co., C. W. Hamilton, Tr. By Revenue		217 00
" "	Des Moines Co, J. P. Chapman, Tr. By Revenue		3,000 00
" 19	Washington Co., S. M. Cox, Tr. By Revenue		633 00
" "	Shelby Co., Wm. Wyland, Tr. By Revenue		253 41
" "	Webster Co., E. G. Morgan, Tr. By Revenue		251 25
	Carried forward		\$239,688 26

MARTIN L. MORRIS in account with the State of Iowa. DR.

1857		Amount brought forward	\$239,688 26
September 30		Franklin Co., J. Miller, Tr. By Revenue	172 00
October 3		Jasper Co., A. T. Ault, Tr. By Revenue	102 17
" 5		Carroll Co., H. L. Youtz, Tr. By Revenue	9 45
" "		Wright Co., O. W. McIntosh, Tr. By Revenue	7 07
" 15		Carrol Co., H. L. Youtz, Tr. By Revenue	14 40
" 21		Jones Co., J. J. Huber, Ex-Tr. By Revenue	414 87
" 24		Madison Co., David Bishop, Tr. By Revenue	25 16
" 26		Marshall Co., T. Mercer, Tr. By Revenue	789 67
" 30		Louisa Co., S. Townsend, Ex-Tr. By Revenue	263 15
" 31		Clinton Co., T. F. Butterfield, Tr. By Revenue	1,003 33
		Total Amount	\$242,489 53

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MARTIN L. MORRIS in account with the State of Iowa, Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1856.					
Nov. 4	Nov. 4	7126	Henry Co. Coal Co.		\$57 32
" "	" 3	7125	Anson Hart		250 00
" "	" "	7124	D. S. Warren		40 00
" 5	" 5	7128	Lewis Wahl		10 00
" 8	" 8	7131	Census Board		200 00
" "	" "	7132	Fiske & Eliot		9 44
" 11	" 11	7133	Jas. D. Eads		300 00
" "	" "	7138	L. Pegan		9 60
" "	" "	7137	James Davis		26 00
" "	Oct. 16	7107	John M. Bay		12 45
" 13	Nov. 13	7143	E. D. Picard		5 50
" "	" 12	7140	O. P. Steele		14 40
" "	" 13	7144	John Kenedy		12 00
" "	" "	7148	Jacob Wetz		8 00
" "	" "	7147	John H. Crawford		16 00
" "	" "	7150	Wm. Braden, Esq.		4775 00
" 14	" 14	7155	J. N. Sales		24 80
" "	" "	7156	Barney Williams		12 80
" "	" "	7160	Census Board		100 00
" "	" "	7163	Geo. Child		1 00
" "	" "	7164	W. H. Bishop		18 88
" 15	" 15	7172	J. Crenshaw		4 96
" "	" "	7175	D. G. McCloud		6 40
" "	" "	7173	D. S. Warren		25 00
" "	" "	7176	Lewis Wahl		20 00
" "	" "	7177	Wm. Lee		1 50
" 17	" 17	7185	J. Hopp		22 40
" "	" "	7179	P. D. Banks		48 00
" "	" "	7192	R. C. Browning		35 20
" "	" "	7187	B. Dale		40 00
" "	" "	7197	W. P. Organ		4 80
" "	" "	7198	Samuel Murdock		250 00
" 24	" 24	7219	D. S. Warren		20 00
" 25	Oct. 14	7100	Peter Moriarty	7 20	790 40
" "	Nov. 6	7129	" "	37	87 15
" "	Oct. 1	7086	Bates & McCormick		6 00
" "	Nov. 25	7222	Bennett Ames		16 00
" "	" "	7221	M. & M. Railroad		21 00
			Carried forward	\$7 57	\$7,302 00

MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1856.			Am't br't forward	\$7 57	\$7,302 00
Dec. 2	Dec. 2	7226	Louisa Co. Ag. S'y.		\$54 00
" "	" "	7225	Geo. W. McCleary		186 00
" 3	" 3	7228	Tr. Chickasaw Co.		20 00
" "	" "	7230	D. F. Miller		26 00
" "	" "	7231	W. M. Stone		32 00
" 4	" 4	7232	Henry O'Connor		12 00
" "	" "	7235	John Peters		4 50
" "	" "	7236	George Wells		4 00
" 5	" 5	7238	M. & M. R. R. Co.		19 00
" "	" "	7239	Lewis Wahl		15 00
" 9	" 9	7242	Temperance Organ		5 00
" 11	" 11	7245	Sylvester & Harris'ns		10 00
" "	" 4	7232	S. A. Rice		200 00
" 12	" 12	7246	Western Stage Co.		18 50
" "	" "	7247	W. H. Perkins		5 50
" 13	Nov. 11	7130	C. J. McFarland		28 50
" 17	Dec. 17	7263	F. A. Barker		50 00
" 2	Nov. 19	7211	Daniel Bowen		12 40
" "	Sep. 25	6434	F. A. Barker	5 00	50 00
" "	Aug. 22	6384	State Treasurer	54 44	500 00
" "	Dec. 16	7261	P. B. Bradley		32 00
" 24	" 24	7267	U. S. Express Co.		37 00
" 31	" 31	7269	D. S. Warren		25 00
" "	" 15	7251	" "		25 00
" "	" 20	7266	Irishman		3 00
" "	" "	7265	J. W. Grimes		250 00
" "	" 16	7258	P. Moriarty		50 00
1857.	1857.				
Jan. 1	Jan. 1	7271	Lewis Wahl		20 00
" "	" "	7270	V. Buren Ag. S'y.		200 00
" 2	" 2	7272	John Pattee		300 00
" 3	" 3	7274	John Teesdale		38 00
" "	Dec. 13	7248	W. Garnett	5	14 40
" "	" 2	7227	G. W. McCleary		300 00
" "	Oct. 9	7092	J. D. Whitney	24 25	1000 00
" "	Dec. 16	7257	P. Moriarty	2 00	425 00
" "	Nov. 17	7186	Jno. Blake	40	35 20
" "	Dec. 24	7268	W. M. Coles		200 00
			Carried forward	\$93 71	\$11,509 00

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MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't br't forward	\$93 71	\$11,509 00
Jan. 5	Jan. 5	7276	Treas. of Linn Co.		6 20
" "	Aug. 6	7020	" "		6 20
" "	Jan. 5	7275	Dr. Amos Witter		15 00
" "	Nov. 17	7183	Jerome Roswell		21 60
" 6	Oct. 4	6483	S. Underwood	1 58	63 00
" "	Nov. 17	7191	F. A. Mitchell		3 00
" 10	Jan. 7	7278	Henry Lilley		25 50
" "	" "	7279	H. B. Hendershott		250 00
" "	Nov. 4	7127	S. Bacon		9 00
" "	Jan. 7	7281	R. Lowry		410 20
" "	" "	7282	S. A. Rice		200 00
" "	Dec. 2	7224	Morris & Seymour		18 00
" "	" 3	7229	Inst. for the Blind	6 36	795 00
" "	Jan. 2	7273	Western Stage Co.		84 80
" "	Apr. 17	6145	J. E. Johnson		5 00
" "	Jan. 9	7284	Hon. W. Smyth		250 00
" "	Aug. 22	6383	State Treasurer	55 31	500 00
" "	Jan. 9	7285	Poston, Clark & Co.		21 95
" "	Nov. 13	7153	P. Moriarty	12 45	1000 00
" "	Jan. 10	7286	Chas. Brewster		100 00
" "	" "	7288	J. H. Little		100 00
" "	" "	7287	George Shedd		169 00
" "	" "	7292	S. M. Dyer		24 00
" "	Nov. 17	7165	A. Snell		48 12
" "	" "	8194	J. Thompson		53 12
" "	Jan. 10	7290	R. M. Burnett		81 00
" 12	Nov. 11	7134	H. B. Hendershott	2 50	250 00
" "	" 18	7207	Geo. Wassinger		8 80
" "	" 13	7142	J. M. Shafer		200 00
" 15	Jan. 15	7311	Geo. G. Wright		250 00
" "	" "	7309	W. G. Woodward		250 00
" "	" "	7308	F. A. Barker		925 00
" "	Dec. 4	7234	J. W. Dunlap		9 85
" "	Nov. 13	7145	M. M. Hayden	20	14 40
" "	" 17	7181	A. Root		32 00
" "	Dec. 1	7223	Banbury & Redhead		59 00
" "	Nov. 17	7202	P. Chitwood	40	26 40
" "	Jan. 14	7307	Lewis Wahl		50 00
			Carried forward	\$172 51	\$17,844 14

MARTIN L. MORRIS in account with the State of Iowa. CR.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't brt. forward	\$172 51	\$17,844 14
Jan. 15	Oct. 9	7095	F. A. Barker	4 00	200 00
" "	Jan. 15	7312	John Hays		35 00
" "	" "	7313	J. M. Smith		32 00
" "	Nov. 14	7159	S. W. Stockhouse		24 60
" "	" 11	7135	W. H. Tuthill	1 66	250 00
" "	Aug. 22	7034	" "		250 00
" "	Mar. 4	6768	" "		250 00
" "	" 8	6778	Cedar Co. Ag. Soc'y		81 00
" "	Oct. 9	7093	F. A. Barker	12 75	750 00
" "	" "	7094	" "	4 70	250 00
" "	Jan. 14	7305	L. O. Hatch		40 00
" "	" "	7304	Lewis Kinsey		16 85
" 15	" 27	5940	S. Workman		106 00
" "	" 7	7283	W. G. Woodward		50 00
" "	" "	7282	" "		50 00
" "	" 12	7302	Peter Moriarty		500 00
" "	" "	7301	" "		500 00
" "	" "	7300	" "		500 00
" "	" "	7299	" "		500 00
" "	" "	7298	" "		500 00
" "	" "	7303	" "		514 00
" "	" "	7297	W. P. Clarke		35 75
" "	" 10	7291	W. Braden		176 64
" "	Dec. 10	7244	" "		35 00
" "	" "	7243	" "	3 68	456 00
" "	Nov. 13	7151	" "	36 83	2,811 10
" "	" 17	7199	L. D. Stockton	3 33	250 00
" "	Sept. 27	7082	Seydel & Bixby		4 15
" "	Jan. 6	7277	E. Sells		4 86
" "	" 10	7294	Morris & Seymour		268 00
" "	" "	7293	" "		403 50
" 16	" 16	7323	D. C. Hilton		23 00
" "	Nov. 13	7149	C. D. McCalley		8 80
" "	Jan. 16	7322	Carey & Hull		1 58
" "	" "	7319	M. L. Morris		215 00
" "	" "	7317	do do		100 00
" "	" "	7318	do do		287 50
" "	" "	7320	do do		57,500 00
			Carried forward	\$239 46	\$85,824 47

TREASURER'S REPORT.

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MARTIN L. MORRIS in account with the State of Iowa. CR.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't brt. forward	\$239 46	\$85,824 47
Jan. 16	Jan. 16	7316	John Pattee		150 00
" "	" "	7324	D. S. Warren		20 00
" "	" "	7325	A. T. Walling		10 50
" "	" 11	7295	James D. Eads		300 00
" "	" "	7300	Peter Moriarty		445 60
" "	Nov. 17	7180	James G. Ellis		18 00
" 17	July 3	6906	Geo. Duffield		20 00
" "	Jan. 16	7321	Needham & Brown		11 00
" "	" 17	7321	J. S. Townsend		150 00
" "	Nov. 17	7182	Isaac Lantz	10	20 80
" "	" 12	7141	L. Bryan	5	21 80
" "	" 22	7217	E. K. Rugg	9 70	910 00
" "	Jan. 17	7331	J. W. Howard		84 00
" "	" "	7330	W. Lee		9 50
" "	" "	7329	J. W. Howard		5 80
" "	" "	7328	S. Coldren		14 13
" "	" "	7327	W. P. Clarke		1,000 00
" "	" "	7333	L. D. Stocton		250 00
" "	Nov. 15	7165	R. C. Pike		32 00
" "	" "	7166	do do		3 00
" "	Jan. 22	6672	Nelson Burdick		2 00
" "	" 17	7335	L. D. Stocton		358 31
" "	" "	7334	Geo. G. Wright		441 64
" 19	Nov. 15	7167	D. Stanley	50	38 40
" "	" 18	7118	Wash'n Co. Ag. So.	3 21	200 00
" "	Sep. 27	7081	W. Smyth	4 65	250 00
" "	Jan. 19	7336	Hon. T. S. Wilson		250 00
" "	Dec. 18	7264	Wm. Lee	50	25 50
" "	" 15	7250	do do	25	13 50
" "	Jan. 19	7337	do do		18 90
" "	" "	7338	W. G. Woodward		441 64
" "	" 17	7330	Abel Beach		90 00
" "	Dec. 8	7241	Scott Co. Ag. So.		200 00
" "	Jan. 19	7341	Treas. of Scott Co.		11 00
" "	Nov. 18	7206	S. C. Taylor		24 00
" "	Jan. 19	7342	Treas. of Dallas Co.		30 00
" 20	Nov. 18	7204	Henry Fidler		17 60
" "	Feb. 15	6740	Jones Co. Ag. So.		147 00
			Carried forward	\$258 42	\$91,860 09

MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857			Am't br't forward	\$258 42	\$91,860 09
Jan. 20	Nov. 17	7200	Samuel Laurence		8 00
" 21	" 15	7174	William Combs		24 80
" "	Jan. 21	7345	J. S. Townsend		100 00
" "	" "	7346	Thos. J. Cox, Esq.		36 00
" "	" "	7348	G. W. and H. O. Hutchinson		8 27
" "	" "	7349	William Gray		5 00
" 22	" 7	7280	Des Moines Co. Ag. Society		200 00
" "	" 22	7350	James H. Bowen		5 00
" "	Nov. 11	7139	T. W. Claggett	5 50	850 00
" "	Jan. 22	7351	A. T. Walling		10 00
" "	" "	7352	Tr. of Adair Co.		41 00
" 24	" 24	7353	J. P. Eckles		5 00
" "	" "	7354	Curtis & Bates		9 00
" "	" "	7355	E. S. Wing		122 00
" "	" "	7356	Thos. M. Bowen		184 00
" "	" "	7357	E. Sells		50 00
" "	" "	7358	Lewis Wahl		10 00
" "	" "	7359	A. H. Worsthen		650 00
" "	" "	7360	Aaron Brown		182 00
" 26	" 26	7361	Wm. Lee		31 75
" "	" "	7362	C. J. McFarland		333 33
" "	" "	7364	W. H. Holmes		124 00
" "	" "	7365	John Pattee		37 50
" "	" "	7367	W. P. Organ		2 50
" 27	" 10	7289	J. L. Corse & Son		216 00
" "	Nov. 17	7184	George S.		28 80
" "	Jan. 27	7368	Geo. Wilkinson		117 00
" "	" "	7369	F. Rodman		181 00
" "	" "	7370	L. F. Bigelow		184 00
" "	" "	7371	D. W. Scovill		187 00
" "	Nov. 15	7170	Wm. Lee	- 76	44 00
" "	Jan. 26	7363	Monroe County Ag. Society		200 00
" "	" 27	7373	Wm. Coles		2 00
" "	" "	7372	do.		532 37
" 28	" 28	7374	N. G. Wyatt		231 00
			Carried forward	\$264 68	\$96,812 41

TEASURER'S REPORT.

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MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857			Am't br't forward	\$264 68	\$96,812 41
Jan. 28	Jan. 28	7375	S. H. Moer		226 00
" "	Dec. 16	7253	Peter Moriarty	4 67	500 00
" "	Jan. 28	7376	W. H. Griswold		171 00
" "	" "	7377	D. Mendenhall		173 00
" "	" "	7378	J. H. Sullivan		181 00
" "	" "	7379	W. Thomas		151 00
" "	" "	7381	J. K. Keslerger		131 00
" "	" "	7380	W. Morden		131 00
" "	" "	7382	E. Wright		115 00
" "	Nov. 18	7203	James Hall	1 20	63 20
" "	Jan. 28	7383	S. J. Finney		171 00
" "	" "	7384	E. Sheppard & Co.		1 20
" "	" "	7386	R. A. Richardson		185 00
" "	" "	7385	E. R. Gillett		198 00
" "	" "	7388	Keokuk Gate City		5 00
" "	" "	7387	T. H. Sypred & Co.		6 00
" "	" "	7389	J. W. Cattell		118 00
" "	" "	7390	Joseph Birge		150 00
" "	" "	7407	Charles Foster		118 00
" "	" "	7405	Lyman Cook		158 00
" "	" "	7406	E. D. Rand		154 00
" "	" "	7404	M. L. McPherson		194 00
" "	" "	7403	H. F. Cleaver		130 00
" "	Nov. 20	7215	J. W. Warner		28 00
" "	Jan. 28	7402	do		190 00
" "	" "	7400	R. W. McDow		174 00
" "	" "	7401	G. W. Wilkinson		9 00
" "	" "	7399	J. Galbraith		180 00
" "	" "	7391	J. J. Matthews		130 00
" "	" "	7398	W. F. Coolbaugh		158 00
" "	" "	7393	P. Inskiep		127 00
" "	" "	7395	L. Reeder		164 00
" "	" "	7394	Thos. Sawyer		171 00
" "	" "	7392	D. Lothian		117 00
" "	" "	7396			174 00
" "	" "	7397	M. Bailey		128 00
" "	" "	7408	Delos Arnold		129 00
" "	" "	7409	Hon. J. L. Hogan		122 00
" "	" "		Carried forward	\$270 55	\$102,243 81

MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't br't forward	\$270 55	\$102,243 81
Jan. 28	Jan. 28	7412	Hon. D. Hardy		168 00
" "	" "	7410	do D. Cort		173 00
" "	" "	7413	do G. T. Clark		176 00
" "	" "	7414	do M. Jordon		177 00
" "	" "	7415	do C. L. Clausen		201 00
" "	" "	7416	do W.H. Copeland		168 00
" "	" "	7419	do W. Loughridge		174 00
" "	" "	7418	do H. H. Trimble		174 00
" "	" "	7417	do J. W. Jenkins		142 00
" "	" "	7420	do G. W. Noble		175 00
" "	" "	7422	do A. H. McRary		166 00
" "	" "	7424	do W. Read		166 00
" "	" "	7426	do H. B. Carter		82 00
" "	" "	7421	do D. Anderson		178 00
" "	" "	7423	do D. Doud		168 00
" "	" "	7427	do W. Davis		159 00
" "	" "	7428	do Joseph Birge		20 00
" 29	" "	7366	do A. S. White		10 00
" "	" "	7429	J. C. Jordon		138 00
" "	" 29	7430	A. W. Ballard		240 00
" "	" "	7431	A. R. Fulton		240 00
" "	" "	7432	J. Vanvaulkenburg		171 00
" "	" "	7434	N. J. Rush		126 00
" "	" "	7435	Iowa Citizen		20 00
" "	" "	7433	James Jordon		20 00
" "	Aug. 27	7042	P. Saunders	33 33	1000 00
" "	" "	7043	do do	33 33	1000 00
" "	" "	7041	do do	33 33	1000 00
" "	" "	7040	do do	33 33	1000 00
" "	" "	7044	do do	33 33	1000 00
" "	Jan. 29	7505	Amr. Union Office		5 00
" "	" "	7504	M. L. Morris		154 36
" "	" "	7503	Jno. Pattee		55 00
" "	" "	7500	Willis Connard		5 00
" "	" "	7497	do do		120 00
" "	" "	7496	R. R. Wescott		120 00
" "	" "	7492	T. W. Wilson		180 00
" "	" "	7498	W. P. Hepburn		250 00
			Carried forward	\$437 20	\$111,765 17

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MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't br't forward	\$437 20	\$111,765 17
Jan. 29	Jan. 29	7491	T. W. Wilson		50 00
do do	do do	7499	W. P. Hepburn		240 00
do do	do do	7464	J. E. Neal		132 00
do do	do do	7462	W. W. Hamilton		170 00
do do	do do	7461	S. S. Daniels		180 00
do do	do do	7508	William Gray		48 25
do do	do do	7493	Geo. E. Spencer		300 00
do do	do do	7506	H. G. Curtis		120 00
do do	do do	7507	Anson Hart		58 14
do do	do do	7457	P. B. Bradley		35 00
do do	do do	7456	Geo. Caruthers		180 00
do do	do do	7454	C. Cartwright		180 00
do do	do do	7447	D. Edmunson		129 00
do do	do do	7452	J. Struble		33 00
do do	do do	7453	John T. Struble		180 00
do do	do do	7450	E. H. Tracy		8 25
do do	do do	7451	Guy Wells		37 50
do do	do do	7449	J. G. Mygatt		147 00
do do	do do	7448	Geo. A. Hawley		240 00
do do	do do	7446	D. C. Cloud		119 00
do do	do do	7444	Josiah Coles		59 52
do do	do do	7445	W. Thurston		170 00
do do	do do	7443	Wm. Said		204 46
do do	do do	7442	J. W. Wier		120 00
do do	do do	7441	J. C. Ramsey		174 50
do do	do do	7440	C. Franklin		174 50
do do	do do	7438	J. B. Browne		180 00
do do	do do	7436	Wright & Bailey		7 50
do do	do do	7448	Morris & Seymour		159 00
do do	do do	7510	E. H. Talbott		5 00
do do	do do	7490	C. B. Smith		110 00
do do	do do	7467	John Peck		120 00
do do	do do	7471	J. B. Howell		95 15
do do	do do	7439	J. W. Williams		154 00
do do	do do	7470	John P. McKay		240 00
do do	do do	7473	Miles Brown		180 00
do do	do do	7460	W. F. Coolbaugh		4 00
do do	do do	7474	Robert Young		120 00
			Carried forward	\$437 20	\$116,629 94

MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't br't forward	\$437 20	\$116,629 94
Jan. 29	Jan. 29	7475	Jno. C. Culbertson		1,750 00
do do	do do	7472	P. Sanders Tr. I. Asy		1,891 30
do do	do do	7469	A. Saunders		162 00
do do	do do	7489	J. O. Hawkins		6 00
do do	do do	7438	J. B. Pease		172 00
do do	do do	7509	Finkbine & Lovelace		117 61
do do	do do	7512	Thomas Morong		110 00
do do	do do	7514	Sam'l McFarland		270 00
do do	do do	7495	S. J. Kirkwood		114 00
do do	do do	7511	James D. Eads		373 50
do do	do do	7513	Jasper Co. Express		10 00
do do	do do	7463	W. W. Hamilton		110 00
do do	do do	7519	Wm. Vogt, P. M.		21 78
do do	do do	7518	do do		1,984 24
do do	do do	7517	Finkbine & Lovelace		25 75
Jan. 30	do 30	7521	Sylvester & Harris'ns		1,382 00
do do	do 29	7523	Jno. Teesdale, Esq.		1,569 70
do do	do 30	7525	A. R. Wickersham		64 50
do do	do 29	7502	C. C. Nourse		400 00
do do	do do	7501	C. C. Nourse		300 00
do do	do 30	7526	Stow, Ballard & Co.		21 00
do do	do do	7527	J. N. Clark		37 50
do do	do do	7528	J. N. Seydel		3 40
do do	do do	7539	do do		5 00
do do	do do	7520	do do		50
do do	do do	7531	E. Shepherd & Co.		9 25
do do	do do	7532	G. D. Woodin		115 00
do do	do do	7533	D. P. Greeley		184 00
do do	do do	7534	E. H. Talbott		42 25
do do	do do	7536	John Kennedy		17 25
do do	do do	7537	John Pattee		225 00
do do	Nov. 17	7189	B. F. Reno		33 60
do do	Jan. 30	7538	E. S. McCullough		170 00
do do	do do	7539	Gower, Mygatt & co.		18 70
do do	do do	7540	M. L. Morris		275 00
do do	do 29	7522	J. W. Logan		6 50
do do	do do	7521	J. W. Logan		250 00
do do	do do	7526	do do		360 00
			Carried forward	\$437 20	\$129,237 67

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MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't b'rt forward	\$437 20	\$129,237 67
Jan. 30	Jan. 29	7494	Cray & Oviatt		40 40
do do	do 30	7541	J. L. Jones		125 00
do do	do do	7542	John Colvin [Co.		50 00
do do	do do	7543	G. W. Hutchinson &		19 25
do do	do do	7544	Wm. Lee		102 60
do 31	Nov. 19	7214	W. A. Ellis	85	56 00
do do	Dec. 5	7237	Lewis Swafford	40	32 00
do do	Nov. 20	7216	Daniel Cosont	45	33 60
do do	Jan. 30	7545	G. W. Marquardt		15 00
do do	do 31	7546	R. M. Bixby, Esq.		10 15
do do	do do	7547	Seydel & Bixby		415 04
do do	do do	7552	F. A. Smith, Esq.		9 00
do do	do do	7553	P. Moriarty		772 71
do do	do do	7554	do do		772 21
do do	do do	7556	Crum & Boye		500 00
do do	do do	7559	Geo. W. McCleary		90 00
do do	do do	7561	Abel Beach		55 00
do do	do do	7560	D. S. Warren		304 49
do do	do do	7558	John Pattee		150 00
do do	do do	7549	Peter Moriarty		5 00
do do	do do	7550	do do		61 90
do do	do do	7564	Lewis Wahl		3 00
do do	do do	7563	Editor "Northwest"		38 30
do do	do do	7562	H. D. Lacossit		80 00
Feb. 2	Feb. 2	7565	M. & M. Railroad		69 17
do do	do do	7567	Anson Hart		250 00
do do	Jan. 31	7557	P. Moriarty		56 80
do do	Feb. 2	7566	G. W. Kreger		19 50
do do	do do	7554	Samuel Murdock		250 00
do 3	do 3	7577	W. B. Daniels & co.		28 78
do do	do do	7576	do do		47 50
do do	do do	7578	W. Blair Lord		200 00
do do	do do	7559	J. C. Carson & Co.		7 50
do do	do do	7582	Davis & Hunter		9 85
do 4	do 4	7584	A. S. Barnes & Co.		36 75
do do	do 3	7583	R. B. Cochran, Esq.		4 00
do do	do do	7580	T. J. Cox		30 00
do do	do 4	7585	Horace Greeley		4 00
			Carried forward	\$438 90	\$133,992 17

MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't br't forward	\$438 90	\$133,992 17
Feb. 4	Feb.	3 7575	Geo. W. McCleary		285 00
" "	"	4 7592	E. Sells		105 83
" "	"	3 7581	W. Vogt		7 20
" "	"	4 7619	Field & Robbins		3 75
" 5	"	" 7615	C. O. Stanton		123 00
" "	"	" 7616	R. M. Wilson		131 00
" "	"	" 7618	J. E. Kertz		116 00
" "	"	" 7617	W. B. Lewis		119 00
" "	"	" 7623	W. G. Thompson		118 00
" "	"	" 7624	Geo. McCoy		126 00
" "	"	" 7625	—Stewart		170 00
" "	"	" 7626	J. B. Grinnell		126 00
" "	"	" 7611	H. C. Wilson		171 00
" "	"	" 7612	W. T. Barker		169 00
" "	"	" 7613	S. Hardie		169 00
" "	"	" 7614	Wm. Kelsey		231 00
" "	"	" 7610	W. Dorland		159 00
" "	"	" 7607	J. R. Perry		154 00
" "	"	" 7608	E. M. Wright		111 00
" "	"	" 7609	J. A. Mills		115 00
" "	"	" 7603	J. Bryson		188 00
" "	"	" 7604	W. D. Bottorf		161 00
" "	"	" 7605	B. Melisser		176 00
" "	"	" 7606	C. H. Toll		130 00
" "	"	" 7602	J. H. Fry		131 00
" "	"	" 7599	A. C. Price		161 00
" "	"	" 7600	A. N. Larimer		221 00
" "	"	" 7601	B. F. Roberts		195 00
" "	"	" 7627	D. T. Brigam		170 00
" "	"	" 7628	J. D. Test		10 00
" "	"	" 7621	do		210 00
" "	"	" 7622	J. T. Atkins		198 00
" "	Jan. 29	" 7515	Francis Rodman		50 00
" "	"	" 7516	A. J. Kirkpatrick		122 00
" "	Feb. 4	" 7596	C. B. Jones		189 00
" "	"	" 7598	H. J. Barner		123 00
" "	"	" 7597	R. H. Rodgers		125 00
" "	"	5 7629	Dubuque Repub.		29 50
			Carried forward	\$438 90	\$139,291 45

TREASURER'S REPORT.

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MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't bi't forward	\$438 90	\$139,291 45
Feb. 5	Feb. 4	7591	Needham & Brown		12 00
do do	do do	7620	J. G. Sperry		2 00
do do	Jan. 15	7315	Tr. of Marion Co.		24 00
do 6	Feb. 6	7630	W. G. Woodward		30 00
do do	do do	7631	Samuel Dale		220 00
do 7	do 7	7632	Geo. W. Ells		76 00
do do	do do	7633	Geo. H. Lanning		10 00
do 10	Nov. 17	7201	Herman Day	40	26 60
do do	Feb. 7	7634	Lewis Wahl		10 00
do do	Jan. 29	7468	W. Parks		6 00
do do	Feb. 10	7635	Barber & Nixon		24 50
do 11	do 11	7640	R. M. Burnett		117 60
do do	do do	7641	Henry Sibley		15 00
do do	do do	7642	Carey & Hall		40 90
do do	Jan. 30	7535	S. Duncan		36 25
do do	Feb. 11	7642	Crum & Boye		37 70
do do	do do	7643	Geo. Fisher		12 00
do 12	Jan. 29	7466	J. E. Neal		46 00
do 13	Feb. 12	7644	Fairfield Ledger		77 00
do do	do 13	7655	S. De Wolf		3 00
do do	do do	7656	E. Sells		500 00
do do	do do	7657	do		325 00
do do	do do	7658	Parker's Express		50 25
do do	do do	7654	S. De Wolf		3 00
do do	do do	7659	S. Fairall		3 25
do 14	do 14	7659½	Banberry & Redhead		58 10
do do	do do	7661	C. W. Baker		50 00
do do	do do	7662	John Pattee		150 00
do do	do 9	7637	E. S. Shirliff		21 50
do 17	do 12	7651	Henry Co. Coal Co.		129 72
do do	do 9	7639	Morris & Co.		39 00
do do	do 17	7663	M. McCardie		1 00
do 18	do 18	7664	Morris & Seymour		745 00
do 19	do 19	7665	State Democrat		4 00
do do	do do	7666	do		24 50
do do	do do	7669	A. P. Luse & Co.		29 50
do do	do do	7670	do		41 04
do do	do do	7668	Mrs. Wahl		12 00
			Carried forward	\$439 30	\$142,304 86

MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't br't forward	\$439 30	\$142,304 86
Feb. 19	Feb. 19	7661	A. S. Barnes & Co.		31 50
do 20	do 20	7673	Wm. Vogt		4 56
do do	do do	7672	M. L. Morris		6 00
do do	do do	7647	R. F. T. Page		42 00
do 21	do 21	7676	Walter Terrel		67 50
do do	do do	7675	Lewis Wahl		30 00
do 23	Jan. 29	7455	Logan & Co.		120 00
do 24	Feb. 4	7586	J. M. Estes, Esq.		47 70
do do	do 24	7681	Coldren & Co.		109 18
do 25	do 23		Tr. of Muscatine Co.		6 00
do do	do 25	7682	W. Blair Lord		200 00
do do	do do	7684	Geo. Kreger		4 37
do 26	do 19	7667	Davenport Gazette		74 00
do do	do 12	7652	do		18 00
do do	do do	7653	do		5 00
do 27	do 27	7689	Linn Co. Register		3 50
do 28	do 28	7693	G. W. Ells & Co.		86 00
do do	do do	7692	Co. Tr. of Louisa Co.		9 00
do do	do do	7694	Abel Beach		50 00
March 2	March 2	7695	John Pattee		375 00
do do	do do	7696	do		12 50
do do	do do	7697	M. L. Morris		375 00
do do	do do	7698	C. W. Baker		50 00
do do	do do	7701	Daniel S. Warren		58 33
do do	do 3	7699	James W. Grimes		250 00
do 4	do 4	7704	Jno. M. Davis		41 67
do do	do do	7705	Wm. H. Sells		33 00
do do	do do	7706	E. Sells		375 00
do do	do do	7707	Cedar Valley Times		4 00
do do	do do	7709	W. H. Robinson		195 00
do do	do do	7710	Timothy Day		184 00
do 5	do 5	7712	S. G. Winchester		177 00
do do	do do	7713	Amos Harris		180 00
do do	do do	7715	H. J. Skiff		168 00
do do	do do	7716	Jno. T. Clark		231 00
do do	do do	7717	Jno. H. Peters		249 00
do do	do do	7718	David W. Price		291 00
do do	do do	7719	Wm. A. Warren		237 00
			Carried forward	\$439 30	\$146,705 67

TREASURER'S REPORT.

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MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't brt. forward	\$439 30	\$146,705 67
Mar.	5	Mar. 5	7720 J. Hollingsworth		171 00
"	"	" "	7738 Alpheus Scott		249 00
"	"	" "	7731 Robert Gower		145 80
"	"	" "	7714 Geo. Gillaspy		12 50
"	"	" "	7734 Edward Johnstone		180 00
"	"	" "	7730 Geo. Gillaspy		166 50
"	"	Feb. 9	7638 Sam'l Windrem		80
"	"	Mar. 5	7736 D. P. Palmer		171 00
"	"	" "	7727 Geo. W. Ells		157 00
"	"	" "	7742 James A. Young		171 00
"	"	" "	7721 Squire Ayres		180 00
"	"	" "	7741 Timothy Day		6 00
"	"	" "	7740 Thomas Seeley		195 00
"	"	" "	7733 J. C. Hall		201 00
"	"	" "	7739 Wm. Patterson		189 00
"	"	" "	7745 J. C. Traer		156 00
"	"	" "	7737 J. A. Parvin		151 80
"	"	" "	7746 James F. Wilson		157 50
"	"	" "	7727 John Edwards		183 00
"	"	" "	7748 A. J. Kynett		150 00
"	"	" "	7744 Lewis Todhunter		189 00
"	"	" "	7735 A. H. Marvin		161 40
"	"	" "	7750 F. Thompson		141 00
"	"	" "	7725 Francis Springer		291 90
"	"	" "	7751 Luse & Co.		11 00
"	"	" "	7752 J. H. Merritt		141 00
"	"	" "	7753 S. C. Trowbridge		141 00
"	"	" "	7754 Jno. Quaintance		132 00
"	"	" "	7755 Willis Connard		117 50
"	"	" "	7756 Geo. W. Clearman		117 50
"	"	" "	7728 J. H. Emerson		237 00
"	"	" "	7722 David Bunker		146 00
"	"	" "	7743 D. H. Solomon		231 00
"	"	" "	7757 Jas. Hawkins		117 50
"	"	" "	7732 H. W. Gray		150 90
"	"	" "	7729 H. D. Gibson		243 00
"	"	" "	7749 E. N. Bates		282 00
"	"	" "	7724 W. P. Clarke		141 00
Carried forward				\$439 30	\$152,691 27

MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't br't forward	\$439 30	\$152,691 27
Mar. 5	Mar. 5	7723	R. L. B. Clarke		159 00
" 7	" 7	7759	Thos. J. Sanders		7 00
" "	" "	7760	Iowa Star		3 50
" 9	" 9	7765	W. Penn Clarke		22 50
" "	" "	7768	Wm. Vogt		534 38
" "	Feb. 12	7649	D. A. Millington		1 00
" "	" "	7647	Millington & ---		75
" "	" "	7648	D. A. Millington		1 40
" "	Mar. 9	7773	J. C. Denny		7 00
" "	" "	7758	Thos. J. Sanders		275 00
" "	" "	7734	W. H. Eells		3 00
" 10	" 10	7775	Linn Co. Register		4 00
" "	" 4	7708	Sylvester & Harrisn's	22	215 00
" "	Feb. 21	7677	Crum & Boye	1 52	400 00
" 11	Mar. 7	7764	Chicago Dem. Press		13 50
" 12	" 12	7785	L. Wahl		10 00
" 19	" 2	7700	James W. Grimes	2 89	1000 00
" "	" 11	7779	W. Gray		35 00
" 20	" 20	7796	Missouri Republican		3 00
" 21	" 21	7799	E. Redhead		13 75
Apr. 14	Nov. 15	7209	J. W. Beers		33 60
" "	Jan. 23	6676	G. Watson		4 00
" "	Nov. 17	7193	S. F. Parker		13 60
" 18	Mar. 27	7810	James Pollard		185 82
" "	Jan. 19	7340	W. Roads, Tr. of Davis Co. Ag. Society		200 00
" 23	Feb. 13	7656	J. W. Norris		2 00
" "	Nov. 5	7171	W. H. Williams	46	12 80
" "	Mar. 13	7787	W. P. Clarke	8 65	1000 00
" "	Apr. 10	7839	U. S. Express Co.		1 25
" "	Mar. 26	7808	M. & M. Railroad		14 45
" "	Apr. 1	7827	Chicago Times		5 00
" "	" "	7832	Sotw, Ballard & Co.		1 90
" "	" "	7833	Lewis Wahl		25 00
" "	" "	7835	J. M. Bay		1 50
" 25	Mar. 14	7790	B. F. Thayer		4 50
" "	" "	7811	Geo. W. McCleary		10 00
" "	" "	7813	N. Y. Tribune		6 00
			Carried forward	\$453 04	\$156,922 62

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MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't b'rt forward	\$453 04	\$156,922 62
Apr. 25	Apr. 16	7852	W. Gray		10 00
" "	" 18	7860	M. & M. R. R. Co.		26 50
" "	Mar. 7	7761	Capital Reporter	1 76	165 00
" "	" 27	7814	Joseph C. Stone		300 00
" "	Apr. 22	7862	Express Agent		7 00
" "	Oct. 9	7096	Clerk of Penitent'y	3 60	180 00
" "	Dec. 17	7262	do do	1 20	90 00
" "	Nov. 14	7157	E. Johnstone	40	19 20
" "	Oct. 22	7119	E. Layton		100 00
" "	Mar. 26	7807	F. A. Barker		125 00
" "	Feb. 14	7660	R. P. Lowe		300 00
" "	Mar. 26	7804	F. A. Barker		1,000 00
" "	" "	7805	do do		1,000 00
" "	" "	7806	do do		892 00
" "	July 16	6958	do do		25 00
" "	" "	6956	do do		25 00
" "	" "	6955	do do		25 00
" "	" "	6953	do do		25 00
" "	" "	6954	do do		25 00
" "	" "	6951	do do		25 00
" "	" "	9950	do do		25 00
" "	" "	6949	do do		25 00
" "	" "	6948	do do		25 00
" "	" "	6947	do do		25 00
" "	" "	6946	do do		25 00
" "	" "	6957	do do		25 00
" "	" "	6954	do do		25 00
" "	" "	6943	do do		25 00
" "	" "	6942	do do		25 00
" "	" "	6941	do do		25 00
" "	" "	6940	do do		50 00
" "	" "	6929	do do		100 00
" "	" "	6938	do do		50 00
" "	" "	6935	do do		50 00
" "	" "	7703	A. R. Wickersham		35 00
May 2	Mar. 19	7793	Washington Times		6 00
" 4	May 4	7933	T. S. Wilson		250 00
" "	" "	7934	W. Vogt		67 35
			Carried forward		
				\$460 00	\$162,145 67

MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't br't forward	\$460 00	\$162,145 67
May 6	May 6	7937	M. & M. R. R. Co.		9 75
" 8	" 8	7947	Lewis Wahl		35 00
" "	Feb. 4	7593	Elkader Tribune		1 50
" "	" "	7595	Clayton Co. Herald		12 50
" "	" 25	7686	Clayton Co. Ag. S'y		103 00
" "	Jan. 28	7425	Hon. H. B. Carter		100 00
" "	Feb. 2	7573	Sam'l Murdock		250 00
" 12	May 12	7951	B. F. Fox		30 00
" "	Apr. 30	7905	Wm. Lee		34 84
" "	" 13	7849	M. & M. R. R. Co.		6 05
" "	" 10	7845	Crum & Boye		43 65
" "	" 11	7848	Parker's Express co.		1 00
" "	Feb. 12	7646	Gossenor Shansborn		1 00
" "	Apr. 8	7838	W. Thompson		1 25
" "	Mar. 31	7821	Abel Beach		50 00
" "	Apr. 25	7866	Lee Co. Treasurer		13 00
" 20	Mar. 10	7776	P. Moriarty	1 31	157 95
" "	Apr. 27	7822	P. Inskep	5 00	1000 00
" "	Jan. 15	7314	Tr. of Jefferson Co.		11 00
" "	May 16	7961	Abel Beach		50 00
" "	Mar. 11	7783	P. Moriarty	36	22 57
" "	Nov. 14	7161	James Cline		28 80
" "	" 13	7154	Peter Moriarty	15 16	1014 00
" "	Mar. 11	7784	do do	8 15	500 00
" "	" "	7782	do do	41	25 00
" "	Dec. 16	7252	do do	1 66	500 00
" "	" "	7254	do do	1 66	500 00
" "	" "	7260	do do	14	14 00
" "	Mar. 10	7777	do do		156 65
" "	Apr. 30	7913	do do		197 70
" 22	May 22	7968	D. S. Warren		10 00
" 26	" 26	7974	C. J. McFarland		300 00
" 27	" 27	7977	Barber & Nixon		1 25
" "	" "	7979	W. C. Greene		9 00
" 30	" 30	7984	U. S. Express Co.		2 00
" "	Mar. 24	7800	R. M. Bixby		17 00
" "	order	(Jan. 29)	Com'r of		
" "	8		Insane Asylum	116 62	5000 00
			Carried forward	\$610 47	\$172,360 13

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MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't br't forward	\$610 47	\$172,360 13
May 30		order	(Jan. 29) Com'r of		
		9	Insane Asylum	116 62	5000 00
June 1	June 1	7987	John Pattee		375 00
do do	do do	7988	Abel Beach		150 00
do do	do do	7989	M. L. Morris		375 00
do 2	do 2	7991	Jno. M. Davis		41 67
do do	do do	7990	Elijah Sells		375 00
do do	May 27	7978	Anson Hart		24 70
do do	Mar. 20	7995	A. P. Luse	4 00	300 00
do do	do do	7798	Boston Post		4 00
do do	May 30	7986	D. S. Warren		20 00
do do	Feb. 25	7683	Benj. Greene		140 00
do do	Mar. 24	7801	W. Blair Lord	3 00	200 00
do do	Apr. 1	7828	D. S. Warren	72	58 33
do do	Mar. 28	7815	Caleb Landany	6	6 59
do do	June 2	7995	E. Redhead		9 00
do 4	Apr. 30	7915	Peter Moriarty	3 33	500 00
do 5	June 2	7996	S. A. Rice		200 00
do do	do do	7997	do do		2 00
do do	do do	7994	Jas. Kirsher		2 00
do do	do 5	7998	M. & M. R. R. Co.		3 60
do do	Feb. 12	7645	Poweshiek Gazette		5 00
do do	May 5	7935	Iowa Stats Zetung	2 68	402 24
do do	Dec. 16	7259	Peter Moriarty		25 00
do do	Jan. 30	6895	Lincoln Clark		18 00
do do	Mar. 10	7778	Stats Zetung		34 50
do do	Jan. 28	7411	Hon. J. M. Moore		173 00
do do	Feb. 2	7570	E. K. Rugg, Esq.		1000 00
do do	do do	7569	do do		1000 00
do do	do do	7568	do do		1000 00
do do	do do	7571	do do		500 00
do do	do do	7572	do do		625 00
do 9	June 9	8009	Geo. Knapp & Co.		10 00
do do	May 2	7930	P. Saunders	9 59	1000 00
do do	do do	7931	do do	9 59	1000 00
do 10	Mar. 31	7825	John Mahan		150 00
do do	May 12	7949	W. H. Tuthill		50 00
do do	Nov. 31	7820	Cedar Co. Ag. S'y.		69 00
			Carried forward	\$760 06	\$187,208 76

MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't br't forward	\$760 06	\$187,208 76
June 12	Nov. 12	8016	D. S. Warren		20 00
" "	" 17	7196	John Webb		20 00
" "	June 12	7296	John N. Clark		33 00
" 13	" 13	8020	Lewis Wahl		40 50
" 15	Feb. 25	7683	Tipton Advertiser		3 00
" "	" 9	7636	W. H. Tuthill	1 66	250 00
" "	Apr. 30	7972	P. Moriarty	2 13	213 40
" "	June 9	8010	W. B. Daniels & co.		12 29
" 17	" 17	8024	W. G. Woodward		250 00
" 18	May 30	7985	Lewis Kinsey [Co.	20	57 00
" 22	Mar. 31	7819	Co. Judge of Carroll		13 25
" "	June 19	8027	D. S. Warren		10 00
" "	May 27	7976	do do		8 33
" 25	" 1	7921	Crum & Boye		686 00
" "	June 25	8031	E. H. Sears		350 00
" 29	" 29	8032	U. S. Express Co.		2 00
" 30	" 30	8037	C. W. Barker		50 00
" "	" 22	8028	Jas. D. Jenkins		200 00
" "	" 30	8041	Jno. M. Davis		41 67
" "	" 29	8036	Samuel A. Rice		91 00
" "	" 30	8040	D. S. Warren		8 33
July 1	July 1	8043	L. A. Desbons		10 00
" "	" "	8050	T. S. Parvin		250 00
" 2	" 2	8055	W. M. Stone		300 00
" "	" "	8060	D. S. Warren		20 00
" "	" "	8057	Lewis Kinsey		45 00
" "	" "	8058	W. R. Ogle		56 00
" 3	Apr. 25	7867	Lewis Kinsey	53	34 00
" "	July 2	8059	W. G. Woodward		15 00
" "	June 10	8013	James W. Grimes		250 00
" "	July 1	8052	J. Teesdale		29 10
" "	" "	8051	do do		5 00
" "	" "	8053	do do		91 80
" "	Mar. 5	7711	Lyons Mirror		3 00
" 6	July 3	8062	Wm. Vogt		47 53
" "	" 6	8064	H. B. Hendershott		100 00
" 7	" 7	8076	Amos Witter		5 00
" "	" "	8072	Thomas Farmer		69 00
			Carried forward	\$764 58	\$190,898 16

MARTIN L. MORRIS in account with the State of Iowa. CR.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't br't forward	\$764 58	\$190,898 16
July 7	July 7	8073	Geo. W. Kreider		12 00
" "	June 10	8014	Thos. J. Saunders	3 34	500 00
" 10	Mar. 17	6102	J. C. Culbertson, T.		500 00
" "	Feb. 17	6057	Geo. Grigsby [J. B.		42 40
" "	July 28	6343	A. J. Stevens		43 11
" "	" "	6344	do do		300 00
" "	June 9	8011	M. L. Fisher		300 00
" "	July 10	8081	Mrs. Wahl		4 00
" "	" "	8082	do do		5 00
" 14	" 11	8080	D. S. Warren		5 00
" "	" 8	8075	A. L. Barnes & Co.		2 25
" 16	" 16	8084	U. S. Express Co.		3 25
" "	" "	8086	J. Cook		300 00
" 17	" 15	8083	Wm. Vogt		145 66
" 18	" 18	8089	T. M. Robinson		1 00
" "	" 15	8084	Springfield Repub.		1 25
" "	Mar. 31	7824	Jno. M. Davis	97	41 67
" "	May 1	7916	do do		41 66
" 20	July 20	8091	Daniel Ham		3 00
" "	" "	8092	Jno. Pattee		50 00
" 21	" 21	8093	D. S. Warren		33 33
" "	" "	8096	Lewis Wahl		45 00
" 22	" 22	8098	U. S. Express Co.		2 25
" 23	" 23	8100	T. S. Wilson		300 00
" "	June 30	8042	A. D. Anderson		20 00
" "	Mar. 6	6775	W. H. Merritt	3 48	87 00
" "	June 2	7993	S. F. Parker		50 00
" "	July 22	8097	Orcutt & Converse		16 50
" 27	" 1	8044	G. W. Hutch'n & Co.	20	28 62
" "	" "	8045	do do	10	11 55
" "	May 16	7960	do do	9	4 55
" 30	July 10		Wm. Lee.		1 25
" "	" "	8077	do do		80
" "	" "	8078	do do		75
" "	" "	8076	do do		1 50
" "	" 29	8105	do do		1 70
" "	" "	8106	do do		7 20
" "	Apr. 10	7844	do do	15	6 00
			Carried forward	\$772 91	\$193,818 21

MARTIN L. MORRIS in account with the State of Iowa. CR.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't b'rt forward	\$772 91	\$193,818 21
July 30	Apr. 10	7843	Wm. Lee	12	4 75
do do	May 20	7963	do do	10	6 00
do do	do do	7965	do do	5	2 50
do do	Apr. 8	7836	Bellevue Repub.	10	3 50
do do	July 30	8107	John Pattee		50 00
do do	do 29	8104	Jno. S. Townsend		300 00
do 31	do 31	8108	J. M. Davis		41 67
do do	do 16	8085	W. G. Woodward	1 45	500 00
Aug. 4	Aug. 4	8111	T. S. Parvin		250 00
do do	July 17	8087	Geo. G. Wright	2 00	500 00
do do	June 5	7999	James Baker	1 96	147 00
do 5	Aug. 5	8116	M. & M. R. R. Co.		19 97
do do	do do	8115	Robert E. Craig		30 00
do 6	do 6	8118	Lewis Wahl		20 00
do 7	July 21	8096	R. M. Bixby		5 25
do 8	Mar. 12	7785	Cedar Val. Times	37	11 00
do do	do 18	7792	John Teesdale	11 20	348 00
do do	Aug. 8	8121	D. S. Warren		30 00
do 10	May 1	7923	Abel Beach		5 00
do do	do 15	7954	D. S. Warren		10 00
do do	Mar. 24	7797	Thos. J. Cox		6 00
do do	Aug. 10	8122	J. H. Colvin		50 00
do 13	May 25	7971	Luse, Lane & Co.	5 27	300 00
do do	July 7	8044	Lawren Dewey		10 40
do do	Mar. 9	7767	Davenport St. Dem.	50	4 25
do do	do do	7766	do do		5 00
do do	June 12	8017	W. Blair Lord	2 67	200 00
do do	Apr. 18	7858	do do	9 55	400 00
do do	May 29	7983	do do	8 00	300 00
do do	do do	7982	do do	5 14	300 00
do do	June 12	8018	do do	2 66	300 00
do do	do 19	8026	do do	3 33	285 00
do do	Mar. 11	7780	Willis Connard	1 00	30 00
do do	June 24	8029	J. & E. N. Sales	75	67 12
do do	Jan. 31	7518	James Trimble		6 00
do do	May 24	6868	F. Sanxay		2 15
do do	do 23	6866	do		1 75
do do	Apr. 27	7899	Crum & Boye	9 35	400 00
			Carried forward	\$838 48	\$198,770 57

TREASURER'S REPORT.

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MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't br't forward	\$838 48	\$198,770 57
Aug. 13	Mar. 7	7763	Iowa City Repub.	5 29	161 25
do do	Apr. 2	7831	J. C. Culbertson	21 83	750 00
do do	do do	7850	do do	14 55	500 00
do do	do do	7829	do do	14 55	500 00
do do	July 6	8069	do do	4 11	500 00
do 15	Feb. 28	7691	Craig & Miller		3 16
do do	Apr. 22	7864	Geo. G. Wright	12 31	500 00
do do	Aug. 15	8125	Josiah H. Bonney		45 50
do do	do do	8126	Daniel S. Warren		28 33
do do	Apr. 27	7850	P. Inskeep		500 00
do 17	Aug. 17	8127	Barber & Nixon		2 75
do do	do do	8128	Lewis Wahl		15 00
do 18	June 13	8019	Lewis Wahl	1 33	100 00
do do	do 18	8025	A. Curtis	35	23 00
do do	Mar. 26	7809	Life in the West		5 00
do do	Aug. 12	8123	Luse, Lane & Co.		567 00
do do	July 17	8088	L. D. Stocton	3 33	500 00
do 19	May 25	7973	Luse, Lane & Co.	84	42 00
do do	Apr. 17	7854	A. P. Luse & Co.	62	23 00
do do	May 25	7972	Luse, Lane & Co.	2 00	100 00
do do	do 19	7964	Isaac Cook	6 00	300 00
do do	Nov. 15	7168	H. E. Samson	1 25	19 20
do do	do 13	7168	W. P. Clarke	26 67	1000 00
do do	Aug. 19	8133	Clintonian		1 00
do do	do do	8132	Bates & McCormick		3 50
do do	do do	8135	Clinton Herald		5 00
do do	do do	8134	do do		50
do do	June 29	7459	Iowa State Gaz.		21 00
do do	do do	7458	do do		7 50
do 21	Aug. 21	8135	W. Moreland		1000 00
do do	do do	8136	do do		15 00
do do	Mar. 9	7769	Oskaloosa Times		1 00
do do	do do	7770	do do		50
do do	Dec 6	7240	Mahaska Co. Ag S'y	9 25	165 00
do do	Mar. 25	7803	S. A. Rice	6 67	200 00
do do	Aug. 21	8137	W. Frazier	3 00	3 55
do 22	June 10	8015	Thos. J. Saunders	2 50	200 00
do do	July 1	8046	J. G. Jordon	5 50	500 00
			Carried forward	\$977 43	\$207,079 26

MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857			Am't br't forward	\$977 43	\$207,079 26
Aug. 22	July 1	8048	J. G. Jordon	5 50	500 00
do do	do do	8047	do	5 50	500 00
do do	do do	8049	do	5 50	500 00
do do	do 22	8099	R. M. Burnett	65	98 00
do do	March 9	7771	E. Sells	6 25	1170 00
do do	Apr. 29	7902	R. M. Burnett	32	182 00
do do	June 10	8012	do	2 17	140 00
do do	Apr. 10	7857	Hon. G. Woodward	1 67	250 00
do do	July 20	8090	S. G. & P. Stein	25	34 50
do do	Mar. 31	7826	J. Mahan	67	150 00
do do	May 6	7936	D. S. Warren	20	10 00
do do	do 1	7922	Abel Beach	10	5 00
do do	do do	7927	do	40	20 00
do do	do do	7926	do	20	10 00
do do	do do	7925	do	10	5 00
do do	Feb. 26	7688	R. M. Burnett		2 35
do do	Apr. 30	7904	D. S. Warren	1 44	58 33
do do	Aug. 22	8138	W. G. Robb		15 00
do 24	June 8	8004	D. S. Warren	33	20 00
do 25	Aug. 25	8139	Geo. Greene		1700 77
do 26	Apr. 27	7873	P. Inskep	26 67	1000 00
do do	do do	7876	do	26 67	1000 00
	1856				
do do	July 10	6952	F. A. Barker		25 00
do do	Feb. 4	7590	C. Hall		13 00
do do	do 23	7680	Hall		8 00
do 27	Aug. 27	8144	L. Wahl		13 75
do do	May 1	7919	Crum & Boye	13 00	500 00
do do	July 28	8103	Wm. Lee	25	20 50
do do	June 3	8039	do	75	45 00
do do	Mar. 11	7781	Childs (engraver)	44	12 50
do do	Apr. 10	7842	Wm. Lee	45	15 35
do 31	Aug. 31	8147	M. & M. Railroad		13 84
do do	Apr. 29	7903	Ft. Dodge Sentinel		7 00
do do	Feb. 25	7687	W. H. Merritt		145 24
do do	Aug. 31	8148	Abel Beach		50 00
do do	do 29	8146	U. S. Express Co.		2 00
do do	do 31	8149	Jno. M. Davis		41 70
			Carried forward	\$1,076 91	\$215,363 09

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MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857			Am't br't forward	\$1,076 91	\$215,363 09
Aug. 31	Aug. 31	8150	M. L. Morris		375 00
do do	do do	8151	C. W. Baker		50 00
do do	do do	8152	John Pattee		375 00
Sept. 1	Sept. 1	8154	A. Wilson		20 00
do do	do do	8153	do		160 00
do do	do do	8155	Elijah Sells		375 00
do do	May 1	7928	James Hall	26 67	1000 00
do 5	Sept. 5	8160	Muscatine Journal		2 50
do do	do do	"	James W. Grimes		250 00
do 8	Apr. 30	7910	P. Moriarty	15 50	500 00
do do	Sept. 8	8163	M. & M. R. R. Co.		3 13
do do	Nov. 13	7146	A. G. Beall	2 13	32 00
do 10	Sept. 10	8166	E. Hammer		18 00
do do	do do	8167	Louisa Co. Times		1 50
do do	do do	8169	M. & M. R. R. Co.		6 00
do do	do do	8170	E. Sells, as Govern'r		250 00
do 11	do 11	8179	J. Teesdale		14 50
do do	do do	8180	do		24 00
do do	do do	8178	do		22 20
do do	do do	8177	do		22 50
do do	do do	8176	do		4 00
do do	do do	8171	do		13 60
do do	do do	8175	do		9 00
do do	do do	8174	do		12 60
do do	do do	8173	do		28 00
do do	do do	8172	do		4 00
do do	do 9	8164	M. & M. R. R. Co.		1 43
do 12	do 12	8181	L. Kinsey		54 50
do 14	do 14	8182	do		157 50
do 15	Apr. 22	7863	L. D. Stocton		500 00
do do	Mar. 28	7816	Burlington Hawk Eye		26 00
do do	do do	7817	do		7 50
do do	Apr. 17	7853	H. B. Hendershott		50 00
do do	July 3	8119	Jno. Kirkpatrick		4 00
do do	do 2	8056	L. D. Stocton		2 47
do 16	Sept. 16	8184	Sam. A. Rice		200 00
do 17	do 17	8185	Geo. Shockey		3 50
			Carried forward	\$1,121 21	\$219,942 52

MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't br't forward	\$1,121 21	\$219,942 52
Sept. 19	Sept. 19	8187	W. B. Daniels & Co		33 80
do do	May 25	7969	Luse, Lane & Co.	7 60	300 00
do 21	Sept. 21	8190	M. L. Fisher		300 00
do do	do do	8189	M. & M. R. R. Co.		4 00
do do	do do	8188	Fiske and Eliot		9 75
do 22	Apr. 16	7851	H. R. Cotton	2 25	66 00
do do	Aug. 5	8114	H. O'Conner		40 00
do do	July 6	8067	J. C. Culbertson	8 33	500 00
do do	Sept. 22	8191	L. Dewey		17 40
do do	Mar. 7	7762	J. Teesdale	33 50	1063 80
do 23	Sept. 23	8192	W. B. Daniels & Co		4 50
do do	do 22	8193	Thos. Kinsey		5 00
do 25	do 25	8196	J. W. Rankin		100 00
do do	do do	8194	U. S. Express Co.		2 75
do do	do do	8199	M. & M. R. R. Co.		5 05
do do	do do	8200	Abel Beach		165 00
do do	do do	8195	M. & M. R. R. Co.		9 56
do 28	do 28	8204	John M. Davis		41 65
do 30	do 30	8206	M. & M. R. R. Co.		3 70
Oct. 1	Oct. 1	8207	Abel Beach		50 00
do 2	do 2	8209	Chas. Foster		133 00
do do	Sept. 5	8162	Gate City Office		5 00
do 15	Oct. 9	8223	Banks & Bro.		8 00
do do	do 15	8235	Anderson, Gates & Wright		18 33
do do	do 12	8228	John Peters		26 00
do 16	do 16	8236	E. Sells		150 00
do 17	do 17	8252	M. & M. R. R. Co.		1 92
do 20	do 20	8255	M. L. Morris		215 00
do do	Aug. 25	8140	Geo. Greene		299 23
do do	Nov. 15	7167	E. Wolohan		14 40
do 21	Oct. 21	8260	Kuhn & Co.		9 00
do do	do do	8258	Wm. Vogt		153 58
do do	do do	8257	do		385 57
do do	do do	8259	do		34 82
do do	do do	8261	do		11 23
do 22	do 22	8269	S. Hepelburger		4 00
do 24	do 24	8274	L. Wahl		7 00
			Carried forward	\$1,172 89	\$224,140 56

MARTIN L. MORRIS in account with the State of Iowa. Cr.

MONTH.	MONTH.	NO.	PAYEE.	INTEREST.	PRINCIPAL.
1857.			Am't br't forward	\$1,172 89	\$224,140 26
Oct. 24	Oct. 24	8275	M. T. & C. D. Close		24 00
do do	do 14	8230	do do		4 50
do 26	Mar. 9	7772	Jones Co. Ag. So'y		83 00
do do	Oct. 14	8234	J. D. Thompson		633 33
do 27	do 27	8277	Isaac Cahn		7 50
do 28	do 28	8279	Jno. M. Davis		41 70
do do	do 27	8278	Fiske & Eliot		38 87
do 29	do 29	8282	Abel Beach		50 00
do 30	Nov. 14, 1856.	7138	A. M. Taylor	40	7 20
do do	May 8, 1856.	6844	Henry Christy		2 00
do do	July 2	8061	Lewis Kinsey	3 75	250 00
do do	Jan. 29	7486	P. Saunders	60 00	1,000 00
do do	Oct. 30	8296	M. & M. R. R.		1 50
do 31	do 16	8284	P. Moriarty	33	100 00
do do	do do	8242	do do	1 00	300 00
do do	do do	8247	do do	33	100 00
do do	do do	8241	do do	1 67	500 00
do do	do 29	8281	Hosea W. Gray		40 00
do do	do 31	8301	Lewis Wahl		9 00
do do	do 23	8270	J. N. Seydel		4 80
do do	do 30	8284	J. H. Deacon		50
do do	do 31	8302	E. Shepherd		5 75
do do	July 31	8109	do do		7 00
do do	Sep. 18	8186	do do		14 65
do do	Oct. 30	8297	Jesse Bowen		200 00
Total				\$1,240 37	\$227,565 86

TREASURER'S REPORT.

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MARTIN L. MORRIS in account with the Saline Land }
Fund - - - - - } Dr.

1856		
Nov. 1	Amount on hand	\$956 21
" 28	Lucas County, C. F. Temple, S. F. C., By Cash	4,171 88
Dec 3	Funds returned By E. K. Gillon, With interest included	542 92
" "	Funds returned By H. D. Downey, With interest included	3,268 04
" "	Funds returned By E. K. Rugg, With interest included	1,096 39
" "	Certificate of Deposit redeemed By Cook, Sargent & Downey, With interest included	2,152 78
1857		
Jan. 12	Monroe County C. Kelsey, S. F. C., By Cash	150 00
" 20	Decatur County J. Jordon, S. F. C., By Cash	500 00
	Total Amount	\$12,838 22

MARTIN L. MORRIS in account with the Saline Land }
Fund - - - - - } Cr.

1857		
January 29	Insane Asylum warrant in favor Of P. Saunders	\$200 00
" "	P. Saunders, Treasurer Of Insane Asylum	6,166 54
August 19	P. Saunders, Treasurer Of Insane Asylum	4,171 88
	Total - -	<u>\$12,338 42</u>

TREASURER'S REPORT.

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MARTIN L. MORRIS in account with the Five per }
 Cent. Fund - - - - - } DR.

1857			
January 1	Received from the United States	\$185,785 32	
March 5	Received on account of Interest	2,238 00	
	Total	\$188,023 32	
CONTRA. Cr.			
January 1	Loaned to the State of Iowa, in pursuance of Law	57,500 00	
March 5	Leaving for distribution	\$130,523 32	

On the 5th day of March, the above amount was apportioned,
 and the County Judges notified that their respective
 Counties were entitled to receive the following sums on
 presentation of the proper certificate at this office, viz:

The County of	Adair	\$281 11
"	Adams	432 94
"	Allamakee	3,109 52
"	Appanoose	2,357 68
"	Audubon	120 09
"	Benton	1,494 30
"	Blackhawk	2,348 11
"	Boone	1,367 38
"	Bremer	1,368 67
"	Butler	907 99
"	Buchanan	2,032 71
"	Calhoun	50 45
"	Carroll	106 43
"	Cass	345 56
"	Cedar	3,503 50
"	Cerro Gordo	267 97
"	Chickasaw	1,124 13
"	Clarke	1,655 67
	Carried forward	\$22,875 21

MARTIN L. MORRIS in account with the Five per } Cr.
 Cent. Fund - - - - - }

1857	Amount brought forward	\$22,875 21
March 5	The County of Clayton	5,761 91
	" " Clinton	4,807 17
	" " Crawford	99 64
	" " Dallas	1,549 85
	" " Davis	2,804 92
	" " Decatur	2,493 82
	" " Delaware	3,102 02
	" " Des Moines	12 50
	" " Du Buque	7,748 62
	" " Fayette	3,436 37
	" " Floyd	1,036 26
	" " Franklin	330 72
	" " Fremont	1,323 03
	" " Greene	461 73
	" " Grundy	184 44
	" " Guthrie	870 73
	" " Harrison	805 60
	" " Hardin	1,710 00
	" " Henry (over- drawn \$5,923,05) }	
	" " Howard	188 26
	" " Iowa	1,412 95
	" " Jackson	4,128 55
	" " Jasper	381 84
	" " Jefferson (over- drawn \$2,102,35) }	
	" " Johnson (over- drawn \$2,566,93) }	
	" " Jones	3,110 22
	" " Keokuk	2,881 41
	" " Kossuth	168 33
	" " Lee (overdrawn } \$7,198,16) }	
	" " Linn	4,833 65
	Carried forward	\$78,519 75

TREASURER'S REPORT.

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MARTIN L. MORRIS in account with the Five per } Cr.
 Cent. Fund - - - - - }

1857	Amount brought forward	\$78,519 75
March 5	The County of Louisa	1,541 00
	" " Lucas	1,244 10
	" " Madison	2,072 27
	" " Mahaska	3,769 56
	" " Marion	4,301 44
	" " Marshall	1,276 65
	" " Mills	1,241 25
	" " Mitchell	806 03
	" " Monroe	2,339 35
	" " Monona	194 61
	" " Montgomery	368 73
	" " Muscatine	3,060 25
	" " Page	777 74
	" " Polk	1,987 23
	" " Pottawattamie	918 15
	" " Powesheik	1,881 04
	" " Ringgold	624 13
	" " Scott	6,779 26
	" " Shelby	193 34
	" " Sac	106 43
	" " Story	1,216 03
	" " Tama	1,487 48
	" " Taylor	846 49
	" " Union	341 49
	" " Vanburen (over- drawn, \$622,78) }	
	" " Wapello (over- drawn, \$1,342,09) }	
	" " Warren	3,444 77
	" " Washington	2,993 72
	" " Wayne	1,201 59
	" " Webster	1,309 31
	Carried forward	\$126,843 37

MARTIN L. MORRIS in account with the Five per } Cr.
 Cent. Fund - - - - - }

1857	Amount brought forward	\$126,843 37
March 5	The County of Winnesheik	3,096 01
	" " Woodbury	403 00
	" " Wright	180 94
	Total, - - -	<u>\$130,523 32</u>

TREASURER'S REPORT.

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MARTIN L. MORRIS in account with the Five per }
 Cent. Fund - - - - - } DR.

1857		The following amounts have been received since the 5th of March last, and have not been apportioned, to wit:—	
MONTH.		PAYOR.	AMOUNT.
March	7	Received of J. B. Dorr (interest)	\$136 65
"	"	" T. K. Brooks "	200 44
"	12	" J. E. Neal "	234 75
"	23	" W. H. Leach & {	33 33
"	"	" R. McFarland } "	
"	"	" H. F. Temple "	22 78
"	"	" B. Hugle "	11 94
"	"	" W. H. Leach "	33 33
"	"	" E. T. Toof "	45 71
"	28	" T. J. Cannon "	27 70
April	24	" W. Thompson "	55 82
May	15	" W. A. Scott "	4 37
"	"	" T. J. Cannon "	3 90
July	17	" J. M. Beck, State } Agent }	1,878 48
September	21	" United States Treasury	34,219 34
Total			<u>\$36,908 34</u>

RECAPITULATION.

STATE REVENUE.		
1856		
November 1	Amount on hand	\$11,254 91
	Received from the 1st Nov., 1856, up to 31st October, 1857,	231,234 62
	Total	\$242,489 53
CONTRA.		
	Amount of warrants redeemed from the 1st day of Nov., 1856, to the 31st day of Oct., 1857, \$227,565 86	
1857	Interest paid on same 1,240 37	228,806 23
November 1	Amount on hand	13,683 30

RECAPITULATION.

	SALINE LAND FUND.	
1856		
November 1	Amount on hand	\$956 21
	Paid in from the 1st Nov., 1856, to Oct. 31st, 1857,	11,882 01
	Total	12,838 22
1857	CONTRA.	
October 31	Warrants redeemed	12,338 42
	Amount on hand	500 80

RECAPITULATION.

	FIVE PER CENT. FUND.	
1857		
January 1	Received from the United States	\$185,785 32
March 5	„ on interest account to date	2,238 00
July 17	„ of J. M. Beck, State Ag't	1,878 48
September 21	„ of United States	34,219 34
	Interest received since the 5th of March	810 72
	Total	224,931 86
1857	CONTRA.	
January 1	Loaned to State of Iowa, in pursuance of law,	\$57,500 00
March 5	Apportioned to the several counties	130,523 32
		188,023 32
October 31	Balance on hand	\$36,908 54

R E P O R T
OF THE
R E G I S T E R
OF THE
STATE LAND OFFICE.

DECEMBER 1, 1857.

T. S. PARVIN, - - - - Register.

DES MOINES.
J. TEESDALE, STATE PRINTER.
.....
1857.

REPORT OF THE REGISTER OF THE STATE LAND OFFICE.

OFFICE OF REGISTER OF STATE LAND OFFICE, }
Des Moines, Iowa, Dec. 1st, 1857.

TO HIS EXCELLENCY, JAMES W. GRIMES,
GOVERNOR OF THE STATE OF IOWA.

In submitting a Report of the detailed operations of the Land Office of the State, for the past year, I have extended it to the first of the present month, (December), for reason that owing to the removal of the Archives of State to the New Capitol, it could not be prepared at an earlier date.

Having myself, in common with many of our fellow-citizens, felt a desire for more information relative to the workings of the office, than could heretofore be obtained from any one source, I early resolved to trace out the various Acts both of Federal and State legislation upon this subject, embracing as they do, all the lands in which the State has an interest.

In this however, I have been not a little embarrassed, for to my surprise, the State of Iowa, only ten years organized, does not own or possess a perfect copy of her Laws; not a State office nor even the Library contains a copy of the Laws or Journals of the Legislature, to the latter of which are appended the Reports of the several officers periodically submitted to the General Assembly. From these however, selected from various sources after much difficulty, I propose, in connection with the detail of the operations of the office, to submit an abstract of the Legislation

had upon the several classes or descriptions of Lands in which the State has an interest, embraced under the following titles, to wit: 1, "500,000 Acre Grant"—2, "16th Section"—3, University Lands"—4, "Saline Lands"—5, Swamp Lands"—6, "Des Moines River Lands"—and 7, the "5 Sections Grant.."

1, 500,000 ACRE GRANT.

Congress, by an act entitled "An Act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," Approved, September 4th, 1841, enacts in the 8th Section of said Act, "That there shall be granted to each State, (Ohio &c.,) specified in the first section of this [the] Act, *Five Hundred Thousand Acres of Land*, for purposes of internal improvement." * * * "And there shall, and hereby is, granted to each new State that shall be hereafter admitted into the Union upon such admission, so much land as, including such quantity as may have been granted to such State before its admission, and while under a Territorial Government, for purposes of internal improvement as aforesaid, as shall make Five Hundred Thousand Acres of Land, to be selected and located as aforesaid;" that is, "within the limits of said States respectively, and in such manner as the Legislatures thereof shall direct."

The Constitutional Convention of Iowa, which assembled on the 7th of October, 1844, in the second Section of Article tenth, provided, that "The Legislature shall encourage, by all suitable means, the promotion of intellectual, scientific, moral, and agricultural improvement. The proceeds of all lands that have been or hereafter may be granted by the United States, to this State, for the support of schools, and the *Five Hundred Thousand Acres of Land* granted to the new States, under the Act of Congress (before cited,) Approved, September 4th, 1841, shall be, and remain a perpetual fund; the interest of which shall be inviolably appropriated to the support of schools throughout the State."

On the 3d of March, 1845, Congress passed an act entitled "An Act for the admission of the States of Iowa and Florida into the Union." In which the United States assents to the diversion of this Grant from purposes of "internal improvement" to those of the "support of schools," upon the condition, however, that a ma-

jority of the qualified electors assent to the provisions of the Act of Admission aforesaid. That Act having materially changed the boundaries of the new State the electors rejected the Constitution and thereby the Act of Admission giving the assent of the United States to this transfer named.

A second Constitutional Convention met on the 18th of May, 1846, and adopted a Constitution which was ratified by the people in October, as declared by the Governor's Proclamation, of November 2d, 1846. But the State was not admitted into the Union until the 28th of December, 1846, when Congress passed "An Act for the admission of Iowa into the Union."

This date then, and not the 2d of November, as heretofore supposed, is the day of the year from which the existence of the State Government should be dated.

This act, like the rejected Act of March 3d, 1845, assented to the transfer of this Grant in the manner heretofore specified. But notwithstanding the Legislature in 1847, and again in January, 1849, so construed the Act in question, there seems to have been some doubt somewhere, for Congress, by an Act approved March 2d, 1849, entitled "An Act *declaratory* of the Act for the admission of the State of Iowa into the Union," expressly declares "That by the act entitled 'An Act for the admission of the State of Iowa into the Union,' approved December 28th, 1846, the United States assented to the application for the support of Common Schools, as made in the second Section of the tenth article of the Constitution of said State, 'Of the Five Hundred Thousand Acres of Land' granted to said State, by the Act of the fourth of September, one thousand eight hundred and forty-one."

The General Assembly at its first Session, by an act entitled "An Act to provide for the management and disposition of the School Fund," approved February 25th, 1847, provided for the selection of this Grant, under which "any person capable of contracting, having settled upon public lands * * may signify to the Fund Commissioner of the County wherein the land is situated, his desire to have the same recognized as school lands, and thereupon the same shall be returned by the Fund Commissioner, with the date of their selection, to the Superintendent of Public Instruction, to be by him registered as lands selected by the State

under the grant from Congress, referred to." It is in said Act further provided, that "The Superintendent of Public Instruction shall report from time to time, all selections made under the provisions of this act, to the Secretary of the Treasury of the United States."

This Act was found to work very imperfectly, and at the ensuing regular Session, "An Act supplemental to the Act of February 25th, 1847," was passed and approved, the 15th of January, 1849, providing for the appointment of Commissioners "to select the remainder of the five hundred thousand acres of land" aforesaid, under "the instructions of the Commissioner of the General Land Office of August 6th, 1847."

The remainder of the lands thus selected were approved by the proper Officer as appears by the certificate of the Commissioner of the General Land Office, bearing date the 12th of September, 1854, and a Book of Township Diagrams with all the tracts, so approved, noted thereon.

The Act of the General Assembly, last cited, authorizes the "Superintendent of Public Instruction to sell any of the lands thus selected by the School Fund Commissioner." And the 7th section of the Act to establish a State Land Office, with a Register thereof, and to define his duties," approved January 25th, 1855, provides that "no patents for any portion of the State Lands now set apart for educational purposes shall issue, except upon the written requisition of the Superintendent of Public Instruction, which requisition the Register of the State Land Office shall file and record." There is no provision of law directing the School Fund Commissioners, as to the officer to whom they shall forward the certificate of final payments, the consequence is that they send them indiscriminately, to the Superintendent of Public Instruction, Secretary of State, and the Register of the State Land Office—the former being the only proper person to receive them.

Of the (500,000) five hundred thousand acres of land, granted the State by the Act of September 4th, 1841, (252,673⁸¹/₁₀₀) two hundred and fifty-two thousand six hundred and seventy-three and eighty-one hundredths acres have, to this date been patented; being a fraction over one half of the whole Grant.

A much larger quantity has, however, been sold, but as the certificates of sale are only sent up upon the final payment, and as a large number of the School Fund Commissioners have "failed to comply with the provisions" of an act, entitled "An Act requiring the School Fund Commissioners of this State, to file a copy or transcript of the School Lands *sold* in their respective counties, with the Register of the State Land Office," approved January 23d, 1857, it is impossible to ascertain the amount. It is believed, however, from data, in the Office of Superintendent of Public Instruction, that 444,000 acres, or about nine tenths of the whole number have been sold.

The following table will show the number of patents issued, and the number of acres sold as patented during these several periods: the first by the Secretary of State, prior to the 14th of May, 1855, or from March 16th, 1849, when the Register first entered upon the duties of the office; the second to the 14th of November, 1856, the date of the last Report of this Office; the third to the present date; and the last the total number.

NO. 1.

Prior to May 14th, 1855.		Prior to Nov. 14th, 1856.		Prior to Dec. 1st, 1857.		Total.	
Patents.	Acres.	Patents.	Acres.	Patents.	Acres.	Patents.	Acres.
1434	137,646.44	678	61,050.57	444	53,976.80	2556	252,673.81

2, 16TH SECTION.

By "An Act supplemental to the act for the admission of the States of Iowa and Florida into the Union," approved March 3d, 1855, it is enacted that in lieu of the propositions submitted to Congress, by the ordinance of the Constitutional Convention of October, 1844, which is rejected, that certain other propositions shall be submitted to the Legislature of the State of Iowa, for their acceptance or rejection; among which are the following, being part first of section sixth of that Act which provides "*That Section numbered sixteen*, in every township of the public lands, and, when such section has been sold or otherwise disposed of, other lands equivalent thereto, and as contiguous as may be, shall be granted to the State for the use of schools."

The people rejected the Constitution containing the Ordinance

and propositions and upon the adoption of the Constitution of May, 1846, Congress, by an act entitled "An Act for the admission of the State of Iowa into the Union," approved December 28th, 1846, declared "That all the provisions of the Act of March 3d, 1845, aforesaid, be, and the same are hereby declared to continue and remain in force, as applicable to the State of Iowa, as hereby admitted and received into the Union."

The General Assembly by "An Act to provide for the management and disposition of the School Fund," before cited, provided for the sale of said lands.

From an estimate, carefully made by the Hon. Mr. Fisher, Superintendent of Public Instruction, and kindly furnished this Office, there are, of these "Sections numbered sixteen," (1582) fifteen hundred and eighty-two, or (1,012,480) one million twelve thousand four hundred and eighty acres.

Of these there have been patented, (325) three hundred and twenty-five, sections 16th, or (208,430.54) two hundred and eight thousand four hundred and thirty and fifty-four hundredths acres, or one fifth of the whole.

There has, however, (as in the case of the "500,000 Acre Grant,") been a much larger quantity sold, for the same reason as before, (the failure of the School Fund Commissioner to Report) the correct amount is not known; but, it is estimated that 640 of the 16th sections, 400,000 acres, or five fifths of the whole number have been sold.

A more explicit statement of the sales may be obtained from the following Table, prepared in the same manner as table No. 1.

No. 2.

Prior to May 14th, 1855.		Prior to Nov. 14th, 1856.		Prior to Dec. 1st, 1857.		Total.	
Patents.	Acres.	Patents.	Acres.	Patents.	Acres.	Patents.	Acres.
1748	121,922.70	550	50,044.64	424	36,463.20	2722	208,430.54

3, UNIVERSITY LANDS.

72 SECTIONS—46,080 ACRES.

The Secretary of the Treasury of the United States, by virtue of an act, entitled "An Act granting two townships of land for

the use of a University, in the Territory of Iowa," approved July 20th, 1840, "Set apart and reserved from sale, * * * two entire townships for the use and support of a University, within the Territory, when it should become a State," and Congress, by the act heretofore cited, entitled "An Act supplemental to the Act for the admission of the States of Iowa and Florida into the Union," provides in the second part of the sixth section, "That the seventy-two sections of Land set apart and reserved for the use and support of a University, (by the act of July 20th, 1840, aforesaid) are hereby granted and conveyed to the State, to be appropriated solely to the use and support of such University, in such manner as the Legislature may prescribe."

The General Assembly of Iowa, at its first session, by "An Act to locate and establish a State University," approved February 25th, 1847, prescribes that the two townships, or 72 sections of land, granted by the acts of Congress aforesaid, be donated to the "State University of Iowa," established by said act, and provides for the appointment of Trustees, and vests in them the power of disposal of said lands," in the same manner and under the same regulations, as may be provided by law for the disposition and regulation of the 'sixteenth sections' in the different townships."

It was not until the 19th of November, 1856, that the State received from the General Land Office, at Washington, "a true copy of the several lists of lands selected for University purposes and which had been approved by the Secretary of the Interior."

This List was deposited with the Secretary of the Board of Trustees of the State University, without being recorded in this Office, (as we think it should have been,) as the archives of the State should show the various tracts of land granted to it by the General Government, although the State may have subsequently ceded them to other parties. And we respectfully suggest that it would be well, when the Trustees of the University have recorded it, that the original List be returned to this Office to be filed and recorded in the same manner as other Grants have been.

The patents for these lands are issued upon the Certificate of the Secretary of "the Board of Trustees." Of these 72 sections

there have been patented, (8) eight sections, containing (5,649.90) five thousand six hundred and forty-nine and ninety hundredths acres, or one ninth of the whole ; while it is believed there have been sold 47 sections, 30,000 acres, or two thirds of the whole, excluding the sales declared "to be utterly null and void," by the Act of January 28th, 1857.

Table No. 3 will exhibit the number of patents issued and acres sold, for the three several periods already named.

NO. 3.

Prior to May 14th, 1855.		Prior to Nov. 14th, 1856.		Prior to Dec. 1st, 1857.		Total.	
Patents.	Acres.	Patents.	Acres.	Patents.	Acres.	Patents.	Acres.
18	1,535.16	49	3,093.38	14	1,021.36	81	5,649.90

Under this head it is proper to mention, that the certified lists as approved, do not contain two entire townships, or 72 sections, but only 45,957.94 acres, leaving, (in the language of Commissioner Hendrick, in his letter aforesaid,) "still due to the State of Iowa to close the Grant, (122.6) one hundred and twenty-two and six hundredths acres." It remains for the General Assembly to direct how it shall be obtained.

4, SALINE LANDS.

72 SECTIONS—46,101.53 ACRES.

By the Act of Congress, of March 3d, 1845, heretofore cited, in Section sixth, part fourth, it is provided "That all Salt Springs within the State (of Iowa,) not exceeding twelve in number, with six sections of land adjoining, or as contiguous as may be to each, shall be granted to the said State for its use ; the same to be selected by the Legislature thereof, within one year after the admission of said State, and the same, when so selected, to be used on such terms, conditions and regulations, as the Legislature of the State shall direct, "provided, that the General Assembly shall never lease or sell the same, at any one time, for a longer period than ten years, without the consent of Congress."

The General Assembly by "An Act in relation to the Salt Springs, granted to the State," approved February 24th, 1847, directed the method for the selection. On the 5th of February,

1851, the General Assembly passed "An Act to dispose of the Saline Lands belonging to the State, and to appropriate the proceeds thereof." The first section of this act provides "That as soon as the Congress of the United States consent thereto, the Saline Lands belonging to the State may be sold." The second section provides that "the sales shall be made by the same officer, as though the lands formed a portion of those set apart for the improvement of the Des Moines River." And the fifth section further provides that "the proceeds of the sales of said lands shall constitute a fund for founding and supporting a Lunatic Asylum."

Congress by an act, approved May 27th, 1852, entitled "An Act to relinquish to the State of Iowa the lands reserved for Salt Springs therein"—"grants in fee simple to the State, to be disposed of, and the proceeds to be applied as the Legislature of the State shall direct, the twelve Salt Springs and six sections of land contiguous thereto."

There is no data in this office from which to learn whether any sales were effected under the provisions of the act of 1847. The General Assembly at its 4th Regular Session passed an act entitled "An Act to dispose of the Saline Lands," approved January 23d, 1853, in which the sales are to be effected "by the same officer, and under the same regulations as though the lands formed a portion of the School Lands of the State." Section 16th, directs that "the proceeds arising from the sales shall be disposed of according to law, * * and until so provided, to be paid annually into the Treasury of the State." By the act entitled "An Act for a further appropriation for the State Insane Asylum," approved July 14th, 1856, (Extra Session,) it is provided that "all monies arising from the sale of the Saline Lands of the State, whether in the hands of the Treasurer of State or any other person, * * shall be appropriated to the further construction of the State Insane Asylum at Mt. Pleasant."

At the Extra Session of 1856, there was passed "An Act authorizing the Register of the State Land Office, to close the Saline Grant," approved July 14th, 1856, which was accomplished on the 19th of December, 1856, when the Commissioner of the General Land Office transmitted to this Office, "A certified copy

of the approved Saline Selections." The following Table will show the counties in which the Salt Springs (?) are located; the second column the number of the Spring; and the third the number of acres.

NO. 4.

Counties.	No. of Spring.	No. of Acres.
Appanoose.	Nos. 3 and 4.	12,859·28
Davis.	No. 2.	640
Decatur.	No. 5.	2,560
Lucas.	Nos. 6, 7, 8, 9, 11 and 12.	25,791·46
Monroe.		1,120
Van Buren.	No. 1.	640
Wayne.	No. 10.	2,490·79
		46,101·53

The following Table will show the sales of Saline Lands :

NO 4, A.

Prior to May 14th, 1855.		Prior to Nov. 14th, 1856.		Prior to Dec. 1st, 1857.		Total.	
Patents.	Acres.	Patents.	Acres.	Patents.	Acres.	Patents.	Acres.
49	5,620·48	45	5,061·34	27	2,504·48	121	13,186·27

Of the 72 sections of Saline Lands, embracing 46,101·53 acres, there have been patented 20 sections, or 13,186·27 acres, being about two sevenths of the whole Grant. I have no means of approximating even to the amount sold, which is undoubtedly very much greater. The sales of these lands are included with those of the 16th section and 500,000 Acre Grant, which returns have not yet been received from many of the School Fund Commissioners.

5, SWAMP LANDS.

It is enacted by the act of Congress, entitled "An Act to enable the State of Arkansas and other States to reclaim the "Swamp Lands" within their limits," approved September 28th, 1850, "That to enable the State of Arkansas to construct the necessary levees and drains to reclaim the swamps and overflowed lands therein, the whole of these swamp and overflowed lands, made unfit thereby for cultivation, which shall remain unsold at

the passage of this act, shall be, and the same are hereby granted to said State." It is further provided in the 4th section of this act, "That the provisions of this act be extended to, and their benefits be conferred upon, each of the other States of the Union in which such swamps and overflowed lands, known and designated as aforesaid, may be situated."

An important provision of this act seems to have been by the State wholly overlooked. It is enacted in the second section, "That it shall be the duty of the Secretary of the Interior, as soon as practicable after the passage of the act, to make out an accurate list and plats of the lands described as aforesaid, and transmit the same to the Governor of the State, and at the request of said Governor, cause a patent to be issued to the State therefor, and on that patent the fee simple to said lands shall vest in the said State, subject to the disposal of the Legislature thereof."

The General Assembly passed an act, approved February 5th, 1851, entitled, "An Act in relation to the Swamp Lands within the State of Iowa," which provides for their management and disposition by the "Commissioner (Register) of the State Land Office," four years before the creation of said Office. The act provides a mode of selection different from that set forth in the act of Congress, which has led to much confusion and greater delay. And finally authorizes the sale of the lands, although the title was then *and now* is in the United States.

Under this act the Governor, upon whom devolved the duties prescribed in the act previous to the election of the Commissioner, was authorized "to direct the county surveyor, in which said lands may be located, to make the examination and return a list of the same, to the Commissioner of the State Land Office, or the authority acting in that capacity." Under this provision, since the creation of the State Land Office many of the Surveyors or Agents have returned said lists to this Office, and when so returned, the lists aforesaid have been recorded and the original forwarded to the office of the Surveyor General at Dubuque.

By the provisions of an act, approved January 24th, 1853, entitled "An Act supplemental to an act entitled 'An Act to dispose of the swamp and overflowed lands within this State, and to

pay the expenses of selecting and surveying the same,' approved January 13th, 1851, the County Courts are directed "That, so soon as the examination and survey of the swamps and overflowed lands in any of the counties of this State, shall be completed by the County Surveyor (or other person appointed for that purpose,) a full and complete return of the same shall be forwarded to the Secretary of State, whose duty it shall be to report the same to the Surveyor General."

In consequence of this provision many of the "lists" continue to be forwarded to the Secretary of State and by him reported direct to the Surveyor General, so as utterly to preclude this Office from knowing whether the counties have all made the *selections* or keeping a complete record of the lands so selected.

By the Act of January 13th, 1853, the title of which is cited above, [to this act is appended, not the date of approval, but that of its publication, (February 2d, 1853,) which has caused some confusion in subsequent legislation as we shall hereafter see] the State "grants to the counties all the swamp and overflowed lands, granted to the State, which may lie or be situated in them respectively, for the purpose of constructing the necessary levees and drains, to reclaim the same."

This act further provides that in all those counties where no selections have been made, the County Court shall appoint some competent person to examine said lands and make due report and *plats* to the County Court, which Court shall transmit to the *proper officers*, lists of all swamp lands in each of the counties, in order to procure recognition of the same, on the part of the United States."

Not knowing who are the "proper officers," (owing to the conflicting legislation,) the County Courts transmit the returns indiscriminately to the Secretary of State, Register of Land Office and Surveyor General.

Again, under these provisions the Governor has appointed several Agents to examine and report upon the character of the lands; and the County Courts in other cases have made such appointments, and in those cases where the Governor has appointed, the County Courts refuse to compensate the Agents, but refers them to the State for compensation.

But a single surveyor or agent, the agent in Davis County, has returned to this office the plats of the lands selected. This act further provides for the election of drainage Commissioners, who have in charge the conducting of the sales of swamp lands. It also provides for pre-emptions upon said lands, under which provisions some doubt has arisen to what extent they apply.— This provision is repealed by “An Act in relation to the swamp lands of this State,” approved January 24, 1857, but it does not affect the rights of actual settlers on said lands, acquired under the repealed provisions.

On the 25th January, 1855, the General Assembly passed “An Act to amend an Act entitled ‘An Act to dispose of the swamp and overflowed lands within the State,’ ” approved, Jan. 13th, 1853, which provides that the “unorganized Counties shall not sell or dispose of the swamp or overflowed land granted to the State and situated in their limits, until the titles to said lands shall be perfected in the State.” It is, we think, to be regretted that such a provision had not have been, at an earlier day, extended to the organized counties, and thus saved much useless and conflicting legislation upon this subject, for, after seven years, we are no nearer acquiring a title to these lands.

Congress, by the Act of March 2d, 1855, entitled “An Act for the Relief of Purchasers and Locators of Swamp and Overflowed Lands,” directs “that the President of the United States cause patents to be issued, as soon as practicable, to the purchasers or locators who have made entries of the public lands, prior to the issue of patents to the State.”

These entries of the public lands (before selected, but not approved as swamp lands), of which these, and large numbers in this State, were made under instructions of the Commissioners of the General Land Office (approved by the Secretary of the Interior), of February 11th, 1855, which opened the question as to the character of the lands, whether they were “swamp and overflowed lands,” or “lands dry and fit for cultivation, and free from regular and periodical overflows.”

It is further enacted, in the 2d section, “That upon due proof, by the authorized agent of the State, before the Commissioners of the General Land Office, that any of the lands purchased were

swamp lands, within the true intent and meaning of the Act aforesaid, the purchase money shall be paid over to the said State, and where the lands have been located by warrant or scrip, the said State shall be authorized to locate a quantity of like amount, &c."

The years 1851 and 1854 were remarkable in our history; the first for the unusual high waters that prevailed, overflowing lands that were never before "in the memory of the oldest inhabitants" submerged: the latter for the great drought that prevailed, drying up lands, that were, if not always before, periodically at least, covered with water.

It cannot be controverted, in the language of the General Assembly's Memorial, but that "the selections in some cases may have embraced dry and tillable lands," nor on the contrary, but that many of the entries made under the instructions of the Commissioner of the General Land Office, instead of having their character determined by their condition at the date of the passage of the act, (September 28th, 1850,) when they were swamp and overflowed lands in the true intent and meaning of the Act, had their character determined by the condition of things following the drought of 1854.

At the Extra Session, on the 12th July, 1857, the General Assembly Memorialized Congress, to pass An Act confirming the grant to the State, and authorizing patents to be issued for all the lands that have been selected and reserved from sale, &c.

On the 3d of March, 1857, Congress passed an act, entitled "An Act to confirm to the several States the Swamp and Overflowed Lands selected under the Act of September 28th, 1850, and the Act of the 2d of March, 1849."

This Act provides "that the selection of swamp and overflowed lands granted to the several States, by the Act of Congress, approved Sept. 28th, 1850, heretofore made and reported to the Commissioner of the General Land Office, so far as the same shall remain vacant and unappropriated and not interfered with by an actual settlement, under any existing law of the United States, *be and the same are hereby confirmed, and shall be approved and patented to the said several States,* in conformity with the provisions of the act aforesaid, as soon as may be practicable, after the

passage of this law," that is, after 3d March, 1857. But to this act there is appended a proviso, materially interfering with the rights partially accruing to this State by virtue of the selections made prior to the date of the Circular of the Commissioner of the General Land Office aforesaid. The proviso declares "That nothing in this act contained shall interfere with the provisions of the act of Congress, entitled, "An Act for the relief of purchasers and locators of swamp and overflowed lands," approved March 2d, 1855, which is continued in force, and extended to all entries and locations of lands claimed as swamp lands made since its passage."

It is estimated that in a large number of the counties in which are located swamp and overflowed lands, at least fifty per cent of these lands selected as such by the State authorities, have been so entered and located by purchasers under said act of March 2d, 1855, and thereby lost to the State and the several counties in which they are situated. It is true, that under the provision of the act of Congress aforesaid, the State may substantiate, or rather is permitted to substantiate, "by due proof, before the Commissioner of the General Land Office, (at Washington,) the fact that any of the lands purchased were swamp lands, within the true meaning of the act of September 28th, 1850, and when the lands have been entered with coin, the purchase-money shall be paid over to the State, and when located by warrant or scrip, the State shall be authorized to locate a quantity of like amount, upon any of the public lands subject to entry, and patents shall issue therefor."

Such is a synopsis of the legislation upon this vexed subject, by Congress and the General Assembly, since the date of the Grant, in 1850.

Owing to the conflicting legislation before alluded to, it is impossible for this Office to furnish the number of acres selected as "Swamp Lands," for the counties in which the selections were made.

I extract from a Report of "Swamp land selections" made to the General Assembly, in 1854, by the Surveyor General, the following counties, which had made selections to that date, (December, 1854,) the number of acres is not given.

COUNTIES.

Appanoose,
Adams,
Bremer,
Buchanan,
Black Hawk,
Boone,
Clayton,
Clinton,
Cedar,
Decatur,
Des Moines,
Dallas,
Fremont,

Henry,
Harrison,
Iowa,
Jefferson,
Johnson,
Jones,
Jasper,
Johnson,
Keokuk,
Linn,
Lee,
Louisa,

Marion,
Marshall,
Monroe,
Mills,
Muscatine,
Polk,
Pottawatamie,
Page,
Scott,
Story,
Van Buren,
Washington.

The following Counties have made returns to this Office, viz :

NO. 5.

Counties.	No. Acres.	When Selected.
Adair,	8,720	March 28th, 1856.
Allamakee,	25,740	December 17th, 1855.
Audubon,	10,394.74	October 20th, 1855.
Benton,	16,029.66	July 24th, 1855.
Butler,	14,393.29	October 3d, 1855.
Cass,	26,546.6	November 5th, 1855.
Chickasaw,	44,280	December 17th, 1855.
Crawford,	8,640	December 6th, 1856.
Davis,	11,776.13	July 27th, 1857.
Delaware,	19,720	February 12th, 1856.
Floyd,	10,199.71	October 1st, 1855.
Fremont,	24,920	March 20th, 1856.
Guthrie,	11,760	July 2d, 1855.
Howard,	22,791.68	December 17th, 1855.
Lucas,	7,300	June 1st, 1854.
<i>Monroe</i> ,*	3,855.10	October 15th, 1853.
Monona,	104,576.24	November 5th, 1855.
Montgomery,	19,320	February 9th, 1856.
Shelby,	17,070.69	November 23d, 1855.
Taylor,	12,940	January 12th, 1856.
Wayne,	10,560	July 10th, 1855.
Webster,	75,320	November 20th, 1856.
Winneshiek,	10,266	December 17th, 1855.

* The County of Monroe is included in both the lists as furnished by the Surveyor General and this Office.

The whole number of acres of "Swamp Lands" returned to this date, is (516,919·8) five hundred and sixteen thousand nine hundred and nineteen and eight hundredths acres, situated in (23) twenty-three counties. The average for a county would be (22,474·74) twenty-two thousand four hundred and seventy-four and seventy-four hundredths acres. The total number of counties that have reported their selections to this and the Surveyor General's Office is (62) sixty-two of the (81) eighty-one *organized* counties.

The act of Congress, of the 3d of March, of the present year, (1857,) confirms to the State these lands, and directs that the selections reported to the General Land Office shall be approved and patented to the State, except such as have been entered under the law of 1855.

To secure her rights, then, the State wants, (1), the approval and patents for the lands reported and not secured to individuals by the act last cited ; (2), she wants the money-payments received on the lands entered, paid over to her ; (3), and the scrip for lands located with warrants and script that she may enter other lands in lieu thereof.

The following table will show the dates of the several Grants to the State, and of the approval of the selections, made in pursuance thereto by the proper Department.

NO. 5, A.

Grants.	Date of Grant	and Approval.
500,000 Acre,	September 4th, 1841,	September 12th, 1854.
University,	March 3d, 1845,	November 19th, 1856.
Saline,	March 3d, 1845,	December 19th, 1856.
Swamp,	Sep. 28th, 1850, .	
Des Moines River,	August 8th, 1846,	
5 Sections,	March 3d, 1845,	February 4th, 1857.

An average period of ten and a half years has elapsed between the date and the approval of the Grants to the State, only seven and a half years have elapsed since the date of this Grant ; so that those (and they are legion,) interested in these lands, may reasonably hope to secure their lands, or other lands in lieu thereof, within the next three years.

And to accomplish so desirable a result, I would suggest, that

the Governor be authorized to employ an Agent to attend to this matter alone, until it be accomplished.

I am credibly informed, that two or three States interested, have so done, and already received their patents and lands, or scrip in lieu of those granted to "purchasers and locators," under the law of 1855.

6, DES MOINES RIVER LANDS.

These lands, while they have been the subject of much legislation, are likely yet to require much more. I have, therefore, at the instance of some of the members elect, continued, in reference to them, the synoptical history of the past legislation as convenient references for those who may wish to study their history.

While yet a Territory, Congress granted these lands in an act approved August 8th, 1846, entitled "An Act granting certain lands to the Territory of Iowa, to aid in the improvement of the Navigation of the Des Moines River, in said Territory," which provides "that there be, and hereby is, granted to the Territory of Iowa, for the purpose of aiding said Territory to improve the navigation of the Des Moines River, from its mouth to the Racoon Fork (so called,) in said Territory, one equal moiety in alternate sections, of the public lands, (remaining unsold, and not otherwise disposed of, encumbered or appropriated,) in a strip five miles in width on each side of said river; to be selected within said Territory, by an agent or agents to be appointed by the Governor thereof, &c."

By the second section of the act, the Territory is not to convey or dispose of said lands "except as said improvements shall progress; that is, the said Territory or State may sell so much of said lands as shall produce the sum \$30,000, and then the sales shall cease, until the Governor shall certify to the President of the United States, that one half of said sum has been expended upon said improvements," when a like quantity may be sold, &c.

The 4th section provides that upon the admission into the Union of the Territory, the land shall become the property of the State, for the purposes contemplated in the act, and no other; provided, that the Legislature shall accept the same.

By a Joint Resolution, passed January 9th, 1847, the State of

Iowa, which had before (Dec. 28th 1846,) been admitted into the Union, accepted the Grant for the purposes specified in the act aforesaid. And by an act, entitled "An Act creating the Board of Public Works, and providing for the improvement of the Des Moines River," approved February 24th, 1847, the General Assembly vested the control of the work in a board consisting of a President, Secretary and Treasurer, elected by the qualified electors of the State, and provided that "the improvements should consist of a system of slack water navigation by means of dams and locks; commencing at the mouth of the Slough on the Mississippi River, and progress regularly up said Des Moines River." Section 23d of the act provides that "as far as practicable, the work shall be done by contract," to be paid out of the proceeds arising from the sales of the lands which were to be sold by the Board, under the regulations adopted for the sale of United States lands.

At the Extra Session, in 1848, (January 24th,) the General Assembly passed "An Act supplemental" to the act last aforesaid, providing for pre-emptions, and preventing trespasses upon said lands.

At the Regular Session of the next year, (January 15th, 1849,) in "An Act for the re-organization of the Board of Public Works, &c.," the General Assembly changed the tenor of the several members of the board, provided for monthly meetings and reports, for the manner of passing title to purchasers of lands, &c.

This, and the act to which it was supplemental, was repealed by "An Act to secure a more vigorous prosecution and early completion of the Des Moines River Improvement, and amendatory and supplemental to all other acts now in force in relation thereto," approved February 5th, 1851. This act abolishes the offices of the Board of Public Works, and creates those of "Commissioner and Register of the Des Moines River Improvement," to be appointed by the Governor. To the first is committed the oversight and control of the Works; and to the second the performance of all duties connected with the sale of the lands. It is further provided that all contracts shall be approved and signed by the Governor as well as Commissioner and Register, to give them validity."

Section 29 of this act, provides that "if the Commissioner and Register can contract for the completion of the entire improvement below Keosauqua, with any company by pledging the entire net proceeds arising from the sale of the lands, lying below the Raccoon Forks, and water rents and tolls below Keosauqua, they are authorized so to do."

This last Act was further amended at the Session of 1852, (January 9th, 1853,) in an act, entitled "An Act to amend 'an act to secure the more vigorous prosecution of the Des Moines River Improvement,' and amendatory and supplemental to all other acts now in force, in relation thereto, approved February 5th, 1851." By which the Commissioner and Register are authorized and empowered to sell and dispose of all and any lands which have been, or hereafter may be granted by Congress, for the Des Moines River, in such manner as they may deem most expedient for the early completion and vigorous prosecution of said improvements." Full and adequate powers are indeed conferred upon these officers under this act, to make any disposition of these lands for the purpose of securing an early completion of the work, which they may please; limited only by the approval of the Governor.

At the same session, January 24th, 1853, the appointing power is withdrawn from the Governor, and the election of these Officers (Commissioner and Register,) vested in the qualified electors of the State. And to aid those who may be so elected, two assistants were appointed by the General Assembly in the 2d section of the act.

The power to construct, heretofore vested in the Commissioner and Register is continued in the former officer, and his two assistants, limited by a provision that all such contracts with any Company, shall stipulate for at least thirteen hundred thousand dollars, being faithfully expended by such company in the payment of the debts and liabilities of said improvements."

In all contracts to be made, the State is to be protected from all liability, and the company contracting, to look alone to the funds belonging to and arising from said improvement.

The General Assembly on the same day passed a "Preamble and Joint Resolution, asking Congress to remove certain restric-

tions in the act granting lands to aid in the improvement of the Des Moines River."

If those "restrictions" have been removed, I have been unable to find the act, so providing.

These acts comprise all the State legislation upon the subject, except the act of the last Session, approved January 29th, 1857, entitled, "An Act in relation to the Des Moines River Improvement." In which it is provided, section 6, "That it shall be the duty of the Register of the Des Moines River Improvement, as early as practicable, to transfer and deliver over to the Register of the State Land Office, any and all vouchers, plats, books and other things belonging to and connected with said Register's Office."

Section 7, "That the office of Register and the office of Assistant Commissioner be and the same are hereby abolished, and the Register of the State Land Office, be and he hereby is required to do and perform all the duties heretofore performed by the Register of the Des Moines River Improvement."

Very much of the history of this celebrated Grant is contained in the *quasi* legislation of the Officers of the General and State Governments to which I have had no access, as none of the "vouchers, plats, books and other things belonging to and connected with said Register's Office," have, as yet, been "transferred over to this Office."

The Office of Register of the Des Moines River Improvement was located at Ottumwa, and that of Register of State Land Office, at Iowa City, and the General Assembly made no appropriation to cover the expenses of the transfer and delivery, and neither of said Officers would incur the same, having no guarantee that the accounts would be audited, consequently things remain now as at the date of the passage of the act.

On the 8th of August last, Commissioner Manning notified this Office that he had "made a requisition upon me, [you] to certify \$30,000 worth of land at 1.25 per acre, as per terms of contract, to the Des Moines Navigation and Railroad Company, conditioned that the requisition should be deposited with the Chief Engineer, subject to the order of the Company aforesaid, as soon as they shall perform \$30,000 worth of work in addition

to that already done." In this same communication the Commissioner directed me "to advise him of the presentation of said requisition, before the transfer was made, to give him an opportunity to approve or disapprove of the transfer."

On the 16th of October, I received a communication from the Commissioner of same date, desiring me "to decline certifying Des Moines Improvement lands till further advised." On the 24th of the same month, the Company through its authorized agent, presented to this Office, the Requisition aforesaid, and called upon me to Certify the Lands specified—which I declined to do.

Subsequently I agreed with the Agent to submit the legal question involved, to the Attorney General, and should he, in his "opinion," over rule my view of the law of the case, to reverse my opinion and act accordingly.

The Attorney General affirmed my decision, and subsequently the Company have applied for a Writ of Mandamus to enforce the issuing of the certificate, in which condition things remain at this date, (December 5th.)

No patents for these lands, sold previous to the creation of this Office have been issued during the past year, but remain on hand for the reason reported by my predecessor, they "not being made out in conformity with law—nor containing the proviso required by law."

7, FIVE SECTION GRANT.

On the 3d of March, 1845, in "An Act supplemental to the act for the admission of the States of Iowa and Florida into the Union," section sixth, part third, Congress provides "that five entire sections of land to be selected and located under the direction of the Legislature, * * are granted to the State (of Iowa,) for the purpose of completing the public buildings of the State, or for *the erection of public buildings at the seat of government*, as the Legislature may determine and direct."

The General Assembly passed an act, entitled "An Act to provide for the location of the Seat of Government of the State of Iowa, and for the selection of land granted by Congress to aid in erecting Public Buildings," approved February 22d, 1847. This

act designates three Commissioners to "select the lands granted by Congress to aid in erecting public buildings," and on the 4th of February, 1847, the Commissioner of the General Land Office, approved the selection, as follows:

NO 7.

Lots 5 and 8, and S W $\frac{1}{4}$ Sec. 3, T. 78 N R 20 W.	Containing 320 acres.
Lots 5, 6, 7, and 8, and S E and S W $\frac{1}{4}$ Sec. 4, T. 78 N R 20 W.	Containing 640 acres.
Lots 5, 6, 7, and 8, and S E and S W $\frac{1}{4}$ Sec. 5, " " "	do 640 "
Sec. 8, " " "	do 640 "
Sec. 9, " " "	do 640 "
W $\frac{1}{2}$ Sec. 10, " " "	do 640 "
Total,	3,200 acres.

Situated in the County of Jasper.

These lands still remain the property of the State, undisposed of by any published act.

RECAPITULATION.

The following Table will exhibit the number of Patents issued of the several Grants heretofore named, except that of the Des Moines River Lands, of which I have no knowledge.

NO. 8.

Name of Grant.	No. of Acres contained.	March 16, 1849, to May 14, 1855.		May 14, 1855, to Nov. 14, 1856.		Nov. 14, 1856, to Dec. 1, 1857.		Total.	
		Patents.	No. Acres.	Patents.	No. Acres.	Pat'nts	No. Acres.	No. pat	No. Acres.
500,000 Acre.	500,000	1434	137,647.44	678	61,050.57	444	53,976.80	2556	252,673.81
16th Section.	1,012,480	1748	121,922.70	550	50,044.44	424	36,463.20	2722	208,430.54
University.	46,080	18	1,535.16	49	3,093.38	14	1,021.36	81	5,649.90
Saline Lands.	46,101	49	5,620.48	45	5,061.03	27	2,504.48	121	13,186.27
Total.	1,604,661	3429	266,724.78	1322	119,249.46	909	93,965.84	5480	479,940.52

At the last Session, the General Assembly passed an act entitled "An Act requiring the School Fund Commissioners of this State, to file a copy or transcript of the School Lands sold in their respective counties, with the Register of the State Land Office," approved January 23d, 1857.

The first Section of this Act provides "that within six months after the taking effect of the act, the School Fund Commissioners shall file in the Office of the State Land Office, a full and complete list, or abstract of all the lands which have been sold in his county, showing, by different tables, that which belonged to the sixteenth sections, or lands selected in lieu thereof; also, the lands belonging to the Five Hundred Thousand Acre Grant, made by the General Government to the State of Iowa, on her admission into the Union; also, the Saline lands; showing the date of sale, the price per acre at which the land was sold, showing the amount of money paid on said land, and the amount yet due; the interest the money is bearing, and when it will become due; also, the name of the purchaser and whether a final certificate of payment or a certificate of purchase has been issued."

It is also made their duty to furnish these Lists, annually, thereafter, on the 30th day of June.

The 3d section provides that if any School Fund Commissioner shall fail or refuse to comply with the provisions of the act, he shall forfeit and pay to the School Fund of his county the sum of one hundred dollars; and it is hereby made the duty of the Attorney General to see that the provisions of the act are complied with by the several School Fund Commissioners of the State, and to institute suit for the violation of its provisions."

The act taking effect from and after its publication in the Iowa City papers, in which it was published on the 31st of January, 1857, as appears by the Secretary's Certificate. The date on which all such lists or abstracts should have been filed in this Office, was the first of August last.

Early in September, *very few* having complied with its provis-

ions, I addressed them a Note, citing their attention to the law aforesaid.

The first column of the following table shows the counties from which the lists have been received—the second those making no returns, and the third the names of the delinquent School Fund Commissioner thereof.

TABLE NO. 8.

COUNTIES RETURNED LISTS, &c.	COUNTIES FAILED TO COMPLY.	NAMES OF SCHOOL FUND COM'RS.
Adair	Alamakee	Wm. F. Ross
Adams	Benton	Jacob S. Hunt
Appanoose	Calhoun	Roma Meranville
Audubon	Carroll	Saml. L. Lovines
Blackhawk	Cass	Saml. L. Lorah
Boone	Cedar	John R. Snyder
Bremer	Chickasaw	Wm. F. Wright
Butler	Clayton	Isaac Matthews
Buchanan	Des Moines	Wm. H. Morean
Cerro Gordo	Du Buque	Amos Matthews
Clarke	Grundy	Lyman Cole
Clinton	Harrison	J. H. Rice
Crawford	Howard	Jos. S. Burdick
Dallas	Iowa	Martin Ballard
Davis	Jasper	Jas. G. Meek
Decatur	Johnson	John Parrott
Delaware	Lucas	Cyrus F. Temple
Fayette	Mills	James Lewis
Floyd	Mitchell	John C. Bishop
Franklin	Monroe	Calvin Kelsey
Fremont	Monona	
Greene	Montgomery	Wm. C. Means
Guthrie	Muscatine	Asa Gregg
Hardin	Polk	Wm. L. Montgomery
Henry	Shelby	W. W. Reed
Jackson	Sac	Wm. Todd
Jefferson	Story	John J. Bell
Jones	Taylor	David Baker

TABLE NO. 8 (CONTINUED).

COUNTIES RETURNED LISTS. &c.	COUNTIES FAILED TO COMPLY.	NAMES OF SCHOOL FUND COM'RS.
Keokuk Kossuth Lee Linn Louisa Madison Mahaska Marion Marshall Page Pottawattamie Poweshiek Ringold Scott Tama Union Van Buren Washington Wayne Webster Wright	Wapello Warren Winneishiek Woodbury	A. L. Graves Saml. Hawworth J. E. B. Morgan George Weare

From which it will be seen that forty-nine counties have reported the Lists, while thirty-two have failed to report.

The reports received, came to hand at so recent a date that it has been impossible to ascertain the number of acres of the several descriptions of land sold, as few if any of the Officers have footed their columns; nor have the reports been recorded, nor can they be, without additional clerical force being furnished the Office.

The Office should be furnished with a Book of Diagrams or Plats, of all the lands granted to the State, gotten up in the style of the Plats of the 500,000 Acre Tract, furnished the Office at an early day, by direction of the Superintendent of Public Instruction. In this Book all townships, properly arranged, containing any of said lands, are platted with the selections as approved, noted thereon in colors, so that when sold they can be so marked,

and thus enable any one looking into the matter, to distinguish the sold from the unsold, and the lands selected from those not belonging to the Grant. The expense of such a Book would not probably exceed one hundred dollars.

An effort (which seems to meet with general favor in the valley of the Des Moines,) will be made to have the Des Moines River Lands diverted to the construction of a Railroad up the valley, with the consent of Congress and those interested in the present condition of things. If not successful in this, and possibly otherwise, further legislation will be required to enable this Office to perform the duties assigned to it by the Act of January 29th, 1857.

It appears from a communication from the Commissioner of the General Land Office, dated Nov. 4th, 1854, that the State Agents selected upwards of 20,000 Acres more than it was entitled to, under the act of September 4th, 1841. The General Assembly on the 11th January, 1855, authorized the Governor of the State to adjust said grant with the Commissioner aforesaid, by deducting from said Lists the amount necessary to close it."

SEAT OF GOVERNMENT.

The General Assembly by an act, entitled "An Act to relocate the Seat of Government," approved January 25th, 1855, among other provisions made it the duty of the Commissioners to relocate the Seat of Government of the State, "to obtain as much land as is necessary for the Capitol Buildings, and also any and all grants and donations of land and town lots, within their power, to the State."

The Commissioners relocated the Seat of Government in this City, (Des Moines) and in accordance with the provisions of the act aforesaid, "obtained donations of lands and lots," and took "proper conveyances" to the State, of the following lands and town lots, viz. :

CAPITOL SQUARE.

Bounded and described, "Commencing at a point, No. sixty-eight degrees E. two chains and eighty-six and one half links from the centre, corner of section three, T. seventy-eight N. of R.

twenty-four W. of the fifth principal meridian; thence N. seventy-four degrees thirty seconds E. six hundred and forty feet to a stone at the N. E. corner of Capitol Square, of the State of Iowa; thence S. fifteen degrees thirty seconds E. six hundred and eighty-two feet to a stone, at the S. E. corner of said Square; thence S. seventy-four degrees thirty minutes W. six hundred and forty feet, to a stone at the S. W. corner of said Square; thence N. fifteen degrees thirty minutes W. six hundred and eighty-two feet, to a stone at the N. W. corner of said Square, or place of beginning—containing ten acres and two hundredths of an acre, more or less.” Conveyed by William A. Scott and Harrison Lyon, to the State of Iowa, April 28th, 1856, and Recorded in Book I., page eighty-six of the Polk County Records.

The second tract is conveyed by Thos. R. Brooks and Wilson A. Scott, on the 29th day of April, 1856, and recorded in the same Book, page eighty-seven, described as follows, viz.:

“Commencing at a point, S. thirty-two degrees thirty minutes W. one and sixty-five hundredths chains from the N. W. corner of the S. W. quarter of section two T. seventy-eight N. of R. twenty-four W.; thence N. seventy-four degrees thirty seconds E. six hundred and eighty feet to a stone; thence S. fifteen degrees thirty seconds E. three hundred and sixty feet to a stone; thence S. seventy-four degrees thirty seconds W. six hundred and eighty feet to a stone; thence N. fifteen degrees thirty seconds W. three hundred and sixty feet to the place of beginning—containing five and sixty-one hundredths acres, more or less.”

Besides these two conveyances, J. A. Williamson and T. A. Walker, executed a Bond on the same day conditioned to convey to the State, two acres and nineteen hundredths, described as follows: “Beginning at a point N. eighteen degrees thirty-seven seconds E. from the N. E. corner of Capitol Square, distant one thousand five hundred and fifty-four feet; thence N. fifteen degrees W. three hundred and eighteen feet; thence N. seventy-five degrees E. three hundred feet; thence S. fifteen degrees E. three hundred and eighteen feet; thence S. seventy-five degrees W. three hundred feet to the place of beginning—two and nineteen hundredths acres.” This Bond is not recorded, but filed in the Secretary’s office.

All of said Lands and Town Lots are situated in the City of Des Moines, upon beautiful wooded eminences, and the policy of the State should be to "spare the trees," protect and improve the grounds by a good, substantial fence, and otherwise, and guard against that vandalism which pervades so generally in this State to destroy, that the succeeding generation may have something to do in repairing their ravages. Better, far better, at less labor and expense, preserve the beautiful groves of native growth, than in after years expend greater sums to replace them.

T. S. PARVIN, *Register*.

REPORT

OF

THE SPECIAL COMMITTEE

APPOINTED BY THE HOUSE OF REPRESENTATIVES, OF THE SEVENTH
GENERAL ASSEMBLY, TO INVESTIGATE ALLEGED FRAUDS
IN THE LOCATION OF THE CAPITOL.

DES MOINES, IOWA:

J. TEESDALE, STATE PRINTER, CITIZEN OFFICE.

.....
1858.

COMMITTEE'S REPORT.

The Special Committee, appointed by the House of Representatives to investigate the alleged frauds in the location of the Capitol of the State of Iowa, and to whom was referred the Memorial of citizens of Polk County alleging that the Commissioners appointed to locate the Seat of Government did not act for the best interests of the State, but that they did act fraudulently and corruptly in making such location, have had the whole matter under consideration and beg leave to

R E P O R T ;

The charges contained in the Memorial appeared to the Committee not to be sufficiently explicit or specific, they therefore notified the Memorialists through W. C. Burton, one of their number, that to warrant an investigation more specific charges should be preferred. Accordingly certain of the Memorialists, whose signatures are thereto subscribed, preferred the charges accompanying this Report, marked F, for the convenience of reference.

The substance of these charges, it will be seen, is

First—That the said Commissioners, viz: J. H. D. Street, Stewart Goodrell, Benjamin R. Pegram, Guy Wells and John A. L. Crookham, in making the location on the East side of the Des Moines River, did not act with a "strict regard to the interests of the entire State," and

Second—That they or a majority of them, suffered themselves to be and were improperly influenced in their decision, and were

induced to make and did make said location for the promotion of their private and personal ends and not with a strict regard to the interests of the State, and that said Commissioners did locate said Seat of Government or Capitol at the point where the inhabitants and proprietors of the land did offer to and did pay the said Commissioners the largest personal bribe or bonus for said location.

These charges, the Memorialists offered to prove, if an opportunity were given them so to do.

In the outset of the investigation, your Committee thought it the most prudent and proper course to make the examination *ex parte*, but some of the parties accused complained of this course, and asked the privilege of appearing before the Committee by counsel, which was granted; thenceforth the investigation assumed a more formal course as will be seen by the testimony appended to this Report.

To sustain the first charge the Memorialists introduced the testimony of F. C. Grimmel, Lovell White, W. C. Burton and others.

From the testimony of Mr. Grimmel, it appears that twenty acres of land was offered to the Commissioners for the State to be used as the location of the Capitol—this land appears from the testimony to have been worth nearly one hundred thousand dollars. It appears from the testimony of Lovell White, W. C. Burton, F. R. West and others, that besides this twenty acres of land, various persons, proprietors of lands and otherwise interested on the west side of the river, offered, or gave the Commissioners notice that they would offer, \$200,000 worth of real estate at a fair price, as a further inducement or bonus to the State, for the location of the Capitol on the west side of the Des Moines River, or in Des Moines City proper. When the Commissioners received the notice that the subscription for the \$200,000 worth of real estate would be made and offered to them for the benefit of the State, they signified their willingness to give the proposition due consideration, and delay their final decision till the next day: but it appears that instead of so delaying, or giving the parties interested in the raising of the \$200,000 aforesaid an opportunity to present their proposition, they came to a decision which debarred those interested parties from making their proposition in time for its having any effect.

Compared with the advantages and benefits both in the location itself and in the comparative value of the land offered by Grim-

mell and others on the west side of the Des Moines, your Committee are of opinion that the Commissioners did not act with a "strict regard to the interests of the entire State," in preferring the location on the east side of the river, where the Commissioners received less land and worth at the time not more than \$150 per acre—and without taking into consideration the personal and private ends which might have influenced the Commissioners in giving a preference to the location which they did make, your Committee cannot perceive by what considerations of advantage or benefit to the State the Commissioners were actuated.

It may be proper to add that the subscription actually made as a part of the \$200,000 proposed to be raised on the west side of the river, amounted to \$159,330. It will be seen also from the testimony that the accused attempted to prove that these subscriptions were not made in good faith, but as the Commissioners could have required the payment of these subscriptions as a condition precedent or contingent upon the location of the Capitol, your Committee set no value upon that part of the testimony. Your Committee are therefore of the opinion that each and all of the Commissioners did not act with a strict regard to the interests of the entire State, and that the first charge is substantiated.

To prove the second charge, the Memorialists introduced, among others, Messrs. Baldwin, Scott, Williamson and Mitchell, upon whose testimony they relied to show that a large amount of property, estimated to be worth about fifty thousand dollars, was given to the Commissioners as a bribe, bonus or gratuity to influence them in making the location. These witnesses, as the Committee have already reported to the House of Representatives, refused to testify on important points of the investigation, and the House have not yet determined whether they should or should not give true and proper answers to the interrogatories of the Committee. This contumacy of the principal witnesses, as your Committee are obliged to consider it, leaves the Committee without evidence, which may, if elicited, settle the whole question at issue. But even without this, sufficient has been elicited to convince your Committee that Mr. Pegram, one of the Commissioners, was influenced, as charged, in making the location by personal and private considerations and that he, the said Pegram, did receive a bribe or bonus in consideration of his vote for the location of the Capitol. That these conclusions are warranted, your Committee are of opinion by the evidence before them and which accompanies this Report.

It appears from the testimony of Mr. Van, that two hundred and fifty lots were set apart by proprietors of land and town lots on the east side of the river to influence the location of the Capitol, and it appears from the testimony of both Mr. Lyon, who gave some property, and of Mr. Baldwin who received it for his influence with the Commissioners, as it was understood, that town lots or interests in town lots were given to effect the location. It has already been stated as the opinion of the Committee that Mr. Pegram was bribed, and if anything was wanting to confirm this belief, it is furnished both in the testimony of Mr. Baldwin and of others who prove the close intimacy which existed between Baldwin and Pegram pending the sessions of the Commissioners. Indeed it appears conclusive that Baldwin was the agent or go-between Pegram, if not more of the Commissioners, and the proprietors of lands and others interested in town property on both sides of the river. He, Baldwin, appeared to have Pegram, if not a majority of the Commissioners for sale to the highest bidder, whether by the knowledge or consent of the Commissioners, except Pegram, is left to presumption.

Mr. J. B. Stewart testifies that Guy Wells, one of the Commissioners, was interested to the extent of ten acres at the time, and before the Capitol was located, in lands near the said location, which, of course, would be largely appreciated in value by the location. It appears further that this purchase was made at or about the time the act was passed for re-locating the Capitol or Seat of Government. Your Committee content themselves with stating this fact although they might be warranted in drawing an inference unfavorable to the Commissioners from the circumstance of his being interested as before stated.

Although there is no positive testimony connecting Mr. Street and Mr. Crookham with any of the two hundred and fifty lots which were said to be placed at some persons disposition for the use and benefit of the Commissioners, yet the circumstantial testimony of several of the witnesses goes far, if not to a necessary extent, to connect them in interest with some of that property, and that they became so interested in consideration of their having voted to locate the Seat of Government where it now is. The testimony by which it was expected, and by which only it could be proved that they and it was alleged, that all of the Commissioners except Pegram, could be positively identified with fraud and cor-

ruption, was withheld and it was not in the power of the Committee to bring it out. In justice to themselves the Committee will state here what is already known to the House, that they made a special report of the fact that several of the witnesses refused to testify, or more properly speaking, that they refused to answer interrogatories put to them, and that the House have not up to this time directed what disposition should be made of these witnesses.

With regard to the fifth Commissioner, Mr. Goodrell, there appears to be nothing in the testimony elicited implicating him in the frauds alleged in the second charge. It does appear that he purchased property near the Capitol site after the location was made, as of course he had a right to do.

In bringing this investigation and report to a close, your Committee beg leave to say that the position in which they have been placed was disagreeable in the extreme. Placed between two excited parties whose passions were aroused, it was extremely difficult to avoid incurring the displeasure of one or the other in every step of the investigation, but we trust that our duty to both parties and to the State has been discharged with all the impartiality which disinterested umpires could bring to such an investigation. Of this, however, let the proper tribunal be the judge.

Finally, in order that the conclusions of the Committee may not mislead or prejudice the judgment of others or in any way affect other persons opinions than their own, they hereby append the testimony taken by the Committee to this Report.

All of which is respectfully submitted,

[Signed]

L. G. COLLINS,
H. ANTHONY,
B. MILLISER,
D. A. MAHONY.

The undersigned, a member of the aforesaid Committee, desires to state a few particulars in which he does not fully agree with the majority of the Committee.

The undersigned does not give his opinion as to whether the location of the Capitol, made by the Commissioners, was the best that could have been made or not, believing as he does that the Committee is not called upon to express an opinion upon that point. He conceives the question to be decided by the Committee to be whether the Commissioners *knowingly* and *intentionally* disregarded the best interests of the whole State. The question as to where

the location should, under all the circumstances, have been made, is one about which men may honestly differ, being simply a matter of opinion. He does not desire that the Commissioners should suffer on account of having acted contrary to what he might conceive to be for the best interests of the State. He would not have them judged by his mere opinion, nor does he believe that they ought to be judged by the opinion of the Committee, *unless* the Committee believe from the evidence that they have wilfully disregarded the interests of the whole State. As one of the Committee, bound to believe that the Commissioners acted in accordance with their oaths, until the contrary is proved, the undersigned feels bound to say that, with the exception of Commissioner Pegram, he can see no sufficient evidence of a wilful disregard of the interests of the State.

The undersigned believes from the evidence that at least a very considerable part of the subscription which was raised on the west side of the river, was not *bona fide*, and that a number of those who signed the same did so without expecting ever to be called upon to pay the same. The undersigned does not believe that the amount of said subscription, which it is reasonable to presume would have been paid in real estate at the then inflated prices, ought to have been sufficient to induce the Commissioners to locate the Capitol at any place where, in their opinion, it ought not to have been located with a view to the future of the State. The undersigned deems it proper to say that there is some testimony, tending strongly to show that the subscription was not presented to the Commissioners, until after they had agreed upon a location.

The undersigned is not willing to presume that the answers of witnesses who refused to testify, would implicate persons who are not implicated by the other testimony. He thinks such a presumption both dangerous and unwarranted. When the answers are elicited he will give them all the force they deserve.

The undersigned thinks there is no force in the fact that Guy Wells owned a small tract of land near where the location was made, inasmuch as he purchased it long before the location was made and before the law was passed under which he was appointed a Commissioner. The undersigned believes that the charges are sustained by the evidence as to Commissioner Pegram, but not as to the other Commissioners.

[Signed,]

GEO. W. McCRARY, of said Committee.

SUPPLEMENTAL REPORT.

The Special Committee, appointed to investigate the alleged frauds in the location of the Seat of Government, recommend that Section 2647 of the Code be so amended that every employee of the State, county or city, be included in the provisions of that portion of the criminal law of the State for the causes set forth in that section of the Code, and which are made criminal thereby.

Also, that the Attorney General be instructed to institute proceedings against the Commissioners for re-locating the Seat of Government for the recovery from them of any bonus they may have received for their vote or influence in making such location, as any such bonus should have been for the benefit of the State and not for the benefit of said Commissioners.

L. G. COLLINS, Chairman.

EVIDENCE.

THURSDAY, February 11th, 1858.

The Committee appointed for the purpose of investigating certain charges of fraud in the location of the Capitol of Iowa, presented by certain citizens of Des Moines, Polk County, Iowa, to the House of Representatives of said State, met at their room in the Capitol—Mr. Collins in the chair.

On motion, ordered that subpoenas be issued for the following witnesses, viz :—C. C. Van, W. C. Burton, J. C. Warner, Alfred Lyon, G. Holland, F. R. West, H. Lyon, H. Busick, F. Grimmel, Sen., James Campbell and Dr. Saylor. Subpoenas were accordingly issued, summoning said witnesses to appear before the Committee on the 13th instant, at 2 o'clock P. M.

On motion, adjourned to meet Saturday, February 13th, 1858, at 2 o'clock P. M.

G. W. McCRARY, Clerk, *pro. tem.*

SATURDAY, February 13th, 1858.

The investigating Committee met at their room in the Capitol, at Des Moines, pursuant to adjournment—Mr. Collins in the chair. Present, besides the chairman, Messrs. Mahony, McCrary, Anthony and Melliser,—all the Committee.

Francis R. West, a witness of lawful age, was introduced and sworn, and gave evidence, as follows:

I can't say that I can substantiate the charges. I will answer any question you may put to me. I cannot say that I know of the Commissioners being influenced by any bribe. I have some indirect knowledge. I have myself to protect. I can state that I believe they [the Commissioners] were influenced to make the location here. I was told by third parties that a certain sum would place it over there, but not by the Commissioners. One of the Commissioners proposed to sell me, a day or two after the location, fifty lots for \$10,000. It was Mr. Pegram. I don't think the title was vested in him. I think he was to get fifty lots for the location, but the title was not in him. It was to be vested in any one who purchased. I did not learn that from either of the Commissioners. I met him [Pegram] the day before the location, and he said we might have had the Capitol over the river, if we had done our duty. Mr. Baldwin made a proposition to procure us the location on the other side of the river for some \$20,000. I do not know that the proposition came from the Commissioners, but I supposed it did. I thought then that if the amount required by Baldwin had been raised, that the Capitol would have been located on the other side. I do not know anything about any of the Commissioners receiving any money for locating the Capitol. I did not want to know about it. The proposition made by the other side of the river to give \$200,000 to the State as an inducement, I think was not received by the Commissioners. I understand that the Commissioners treated the chairman of the Committee rather coolly. The night the Capitol was located, a man came to my room at midnight and told me it was all up. Went down to Baldwin's room. Found him in bed. Pegram (as I understand and supposed) was in bed with Baldwin. He [Baldwin] told me that it was too late—that \$40,000 would not change it.

C. C. Van was called and sworn, and gave evidence as follows:

I don't know that I know myself of the inducements offered the Commissioners, if any. I have heard rumors. One of the Commissioners, [Mr. Pegram] said something about some lots he was to get here, but I do not recollect whether he was to buy them or not. I understood at the time that he was to get them as a bonus. I think there were fifty lots. I don't know that he told me whom he got them from. A few days after the location was

made, he told me he had sold his lots to Scott and Williamson. He did not tell me how he got the lots or who from. I inferred from his conversation that he was to get the lots for locating the Capitol, but he did not say so. I don't know of any relation existing between Baldwin and the Commissioners. Baldwin was here and appeared to know what was going on, but he did not say he was an agent. I had a conversation with Baldwin—he stated to me that if the west side would raise, I think it was \$50,000, that he had no doubt but what the Capitol would be on the west side of the river. I understood the \$50,000 was to be given to the Commissioners. I believed him to be acting for the Commissioners. He did not mention the Commissioners.

Harrison Lyon called and sworn, and testified as follows:

If there was any fraud in the location of the Capitol, I don't know it. I have only heard from the other side of the river. I own part of the land where the Capitol is. I know nothing about it of my own knowledge. I never deeded a lot to Mr. Pegram in my life. I sold Mr. Baldwin, I think, ten lots, about the time the Capitol was located. The consideration for which I sold Baldwin the lots was, that he was to use his influence to get the Capitol on this side of the river. I let him have the lots to use his personal influence in favor of locating the Capitol. I did not intend the lots to go to the Commissioners. I do not know whether Baldwin gave the Commissioners anything or not.

The Committee adjourned.

G. W. McCRARY, Clerk, *pro. tem.*

TUESDAY Evening, February 23d, 1858.

The Committee, charged by the House of Representatives to investigate the charges of fraud, in the location of the Capitol of Iowa, met pursuant to adjournment.

C. C. Van was sworn and testified as follows:

I did not see any notes in the possession of Pegram. He told me he had them. I understood from Mr. Baldwin there were 250 lots at the disposal of somebody in case the Capitol was located here. I understood that Pegram sold some lots to Williamson and Scott. I do not know where he got the lots. I told him he had acted foolishly, because they could repudiate the notes. He thought they would be paid, as he could assign them to third persons. Baldwin told me he was to share in the profit, and my un-

derstanding was that he got 50 lots. There were 250 lots set apart to be given to the Commissioners. Baldwin said he was to have a share. Crookham and Street were not to have a full share—such is my impression. It was thought less would do them. Baldwin told me he had got \$1000 that the Commissioners knew nothing about, in addition to the 50 lots. He did not tell me who from. When I came here I found out from Baldwin that there were 250 lots to be given to the Commissioners. He asked me what we could give on the other side. The 250 lots were estimated at \$10,000. At that time Baldwin said he was in favor of the west side of the river, and said he thought a majority of the Commissioners were also, and that he thought \$50,000 would secure it. We determined that we would not give that amount to the Commissioners. Before I heard the Capitol was located, the people on the west side raised a subscription of a large amount, near \$100,000, I think. I know nothing about any of the Commissioners except Pegram. He told me this,—that he had made his mark at \$10,000, and they would have to come to that. He asked me why they did not come down, and said that \$10,000 was nothing. I have had no communication with any of the Commissioners besides Pegram. Pegram told me the notes he had received were made payable at Council Bluffs, and since then he has told me that they were paid. Pegram said there were 250 lots and that he was going to have 50 lots. My impression is that Goodrell was all the time in favor of this side.

The investigating Committee, charged with the investigation of the alleged frauds in the location of the Capitol of Iowa, met at their room at the Capitol, when the following proceedings were had.

Present—the chairman and all the members of the Committee.

F. R. West was sworn and testified as follows :

I cannot recollect anything more than I have stated in my former examination. Mr. Pegram, perhaps Goodrell, was here three or four days before the location was made. It appears to me that Mr. Baldwin told me that \$50,000 would locate the Capitol. I will not state positively. Various sums, from \$20,000 to \$50,000, were named. I recollect distinctly Baldwin said to me, when I had a conversation with him in the night, as I said before, that \$40,000 would not change the location. I met Mr. Pegram a day or two after the location, and my impression is that he said we fellows on the west side would'nt do anything and therefore we had

lost the Capitol. It might have been Baldwin but I am pretty certain it was Pegram. I want to have you understand that I am not certain which one of those gentlemen made that remark to me. If it was't Pegram, Pegram was present. I know nothing about the notes except from hearsay.

Adjourned till 9 o'clock to-morrow morning.

E. C. Baldwin sworn. I don't know anything positively. I don't think they are correct. I do not recollect of saying to Lovell White, &c. I got ten or fifteen lots which I understood were from Lyon. I supposed they thought it was for my influence. I considered it so. I met Captain West when I first came here. He said he was appointed to see what influence I could bring to bear. He offered me \$20,000 if I could get the Capitol located on the other side. I did not understand that the Commissioners were to get any lots for locating on the east side. I understood that a number of lots were appropriated for the purpose of getting influence. I do not know that the Commissioners ever received any lots except from rumor. I came here to make some money out of the matter. I found that the people thought that I had a great deal of influence with the Commissioners. I did not hear the Commissioners say anything about the lots to me. I did not tell any of the Commissioners what offers I had received. I did not know that what I would say to the Commissioners would have any influence. Mr. West came up to the room where I and Mr. Pegram were in bed and said he would give \$50,000 for the vote of one Commissioner. Mr. Pegram told me that he wanted to buy some property over here and that he had come over prepared to do so. I heard that some notes were sent to Council Bluffs. I have had conversation with Dr. Brooks, Dr. Shaw and Mr. Williamson. I did not give the Commissioners any lots, nor anything else. I did not make propositions from side to side. I did not hear of any lots that were to be given to the Commissioners. I never told anybody that I had got \$1000 since I had been here.—Pegram and I came over together. We both came with money to invest. It was understood that I was to have the knowledge of the location after it was made and before it was made public. I should judge that the people thought that I would give something

to the Commissioners from the liberal offers they made to me. If the Commissioners had been disposed to take money they could have received a large sum. I found a majority of the Commissioners were in favor of the east side of the river. The offer that was made by the other side of the river was not made until after the location was made, and it was nothing more than blank paper. I heard them say that they would give ten acres of land to the State. The Commissioners get more land for the State here. I think there is some 32 acres. They objected to the land on the other side of the river for several reasons. The streets could not be laid out and the ground was broken. I heard that Pegram was to get some lots. I don't know who told me.

February 25th, 1858, 4 o'clock P. M.

The Committee met pursuant to call of the chairman.

Hall appeared for Goodrell and Wells—Kasson for the memorialists.

Hall presented the paper hereto attached and marked "D."

Lovell White was sworn and testified as follows:

Question. Was you a resident in Des Moines during the years 1855 and 1856?

Answer. I was.

Q. Were you at this place at the time the Commissioners were here to locate the Capitol under the act of 1855?

A. I was.

Q. Did you see the Commissioners while they were here for that purpose?

A. I did.

Q. State your knowledge of any propositions made to the Commissioners, of land to be donated to the State through the Commissioners.

A. In regard to that: about the time of the location of the Capitol, there was a paper got up and numerous signed by citizens of Fort Des Moines to give a donation of land in consideration of the location of the Capitol. The matter was agitated on the morning of a certain day, and the subscription paper, written I think, by myself, was circulated on which was subscribed some \$70,000.

Q. Do you know where the original paper is?

A. It was left with the Commissioners.

Judge Hall objected to any question concerning the paper.

Kasson gave the Commissioners notice to produce the original paper.

A. I have not seen it since. This paper which I hold is a copy of the original paper made by me at the time. (Attached and marked "A.") This paper was circulated in the forenoon. I was acting in the matter myself while it was being circulated. Jewett was authorized on the part of the citizens to come over and offer to the Commissioners \$200,000 in land, in consideration of the location of the Capitol on the west side of the Des Moines river. That notification was forwarded. I saw it in the hands of the Commissioners. This was in the morning. In the afternoon I, with Jewett, came across the river to the house of Harry Griffith, and there we found the Commissioners in session. I asked if they were in session. They said they were, and referred me to their chairman, Mr. Street. I asked Street if they had decided on a location of the Capitol. He said they had not. I asked if they were willing or desirous on behalf of the State to receive propositions from the citizens of Des Moines. He said they were. I asked if he had received a notification from Mr. Jewett. He said they had. This paper I think is the same in substance as that. It is not in my hand writing. (Attached and marked "B.") This paper is the same in substance as the notice of which I enquired if they had received it, and it was shown to me by the Commissioners. I then told Mr. Street and the Commissioners, that the citizens were prepared to make their word good, and had sent over a subscription paper on which was subscribed the amount given in the paper marked "A." I further told them there would be other subscriptions made to the amount of the proposition—\$200,000. I showed the Commissioners the subscription paper, and saw them read it one after another. I then asked them if it was desirable or would be in any way effective to make up the amount of the subscription to \$200,000. They answered that a subscription paper from any point would receive all the consideration to which it was entitled. I then asked if they would give us time to raise the subscription to \$200,000. They answered that we might have all that day—there would be no location that day. It was stated that the next morning they would receive anything we had to offer. I

do not recollect the date except from the date of these papers, which is April 25th, 1856. It was the same day of the date of the papers. I went back on the west side on the same day and interested myself in getting further subscriptions. In the evening of that day we heard a rumor that the Commissioners had located the Capitol. On hearing that rumor, just after tea, I went to Jewett's office, and with Jewett went to the room of the Commissioners and presented this paper. [Attached and marked "C."] It is additional subscription to the amount of \$30,000. On presenting this paper I asked if they had made a location of the Capitol, telling them I had understood they had. They answered that they had provided they could agree with the holders of the land upon terms. I asked why they had hastened the location and said if we had had a little further time we should have completed the subscription of \$200,000. They made no particular answer—only said they had discharged their duties. Nothing further happened at that meeting. Dr. Brooks, J. M. Griffith and Thomas Mitchell came in at that time, or I met them in the passage way. Nothing was said only that the location was made if they could agree on terms and that it was unnecessary for us to make any further effort to get subscriptions to locate it on the west side. I knew the Commissioners. These remarks were made to them. This was all on the same day and evening. The Commissioners intimated that they wished no further discussion of the matter.

Q. What was the character of the subscribers to the paper—were they property holders?

A. I think they were all good for the amounts subscribed by them.

Q. Were those subscriptions made in good faith?

A. They were as far as I know.

Q. Was the ten acres mentioned any part of the \$200,000?

A. It was not. The ten acres were to be given beside the \$200,000.

Q. State whether any person professed to you to be acting for the Commissioners? [Objected to by counsel for Commissioners.]

Q. [By the chair.] Did you hear any one say that they were acting for the Commissioners?

A. I did.

Q. Who was it?

A. John Baldwin.

Q. State whether or not during the presence of the Commissioners in Des Moines for the re-location of the Capitol, and while the location was pending, you had conversation with a person professing to act for, or represent the views of the Commissioners respecting the official acts of the Commissioners.

[Objected to by counsel for Commissioners on the ground that it calls for hearsay evidence. Overruled.]

A. During the time of the pendency of the location of the Capitol, and while the Commissioners were here, I, in connection with others, acted for the citizens of the west side. Some two, three or four days prior to the location of the Capitol, John Baldwin, or the Mr. Baldwin here, was introduced to me. He stated to me that he was authorized to act for Mr. Pegram and Mr. Street in the matter of the location of the Capitol. He had previously, to my knowledge, had conversation with my associates; therefore the subject did not come up as a new one. He told me he would secure the location of the Capitol for \$20,000, guarantied to him in the event it was located on the west side. He said it was the desire of the Commissioners to locate it there as the record would show better, and they would locate it there if they could do as well by locating it there. I had discussions with him at various times—almost every day. On the evening prior to the location of the Capitol he told me that the matter could not be delayed longer—that Crookham had come and he must make arrangements with some one at once. He said that it was highly important that the location should be upon the west side, and he would secure it for \$15,000, if guarantied to him. He could get more than that from the east side, but it would be in property and he wanted to make it a money transaction, if possible. For my people I did not accept any of the terms. The next conversation I had with him was in the afternoon of the day on which the location was made, between the times I visited the Commissioners. He told me that he had agreed to locate the Capitol on the east side of the river. I asked him if that determination could be changed by any consideration. He said it could not. It was a *bona fide* agreement between himself and those with whom he acted. I asked him if he had any objection to my speaking to Pegram or Street relative to the matter. He said he had not, but it would be of no use—that they would hold no communication except through him. He said he had closed the trade. He had done better than he offered to do

on the west side. Baldwin was not present at the time of meeting the Commissioners. It was in the afternoon of the day on which I carried the subscription papers to the Commissioners that Baldwin told me he had closed the trade. It was after the first and before the second. I had a little conversation with Mr. Pegram after the location of the Capitol. He said he wished to sell some lots which were on the east side. He said he had quite a number of lots and would sell them on time.

The Committee then adjourned to meet at 7 o'clock P. M., of February 26th.

[Signed.]

S. SIBLEY, Clerk.

February 26th, 1858, 7 o'clock P. M.

The Committee met pursuant to adjournment.

The memorialists and ex-commissioners appeared by their respective attorneys.

Cross examination of Lovell White.

Q. How long before the location of the Capitol did the Commissioners meet?

A. I could not fix the time—there was some delay in Mr. Crookham's arrival. I think he arrived the day before the location. It might have been two days before.

Q. How long before the location did Mr. Street arrive?

A. I do not know.

Q. Which of the Commissioners did you first see?

A. Mr. Pegram was the first I saw to know him.

Q. How long before the Capitol was located did you see Mr. Pegram?

A. I could not say precisely. I think three or four days.

Q. How long after the Commissioners had all arrived was it before you got up the first subscription which you presented to the Commissioners on the 22d of April, 1856?

A. I think it was one or two days. It was got up on the morning of the 22d of April.

Q. Was that subscription got up at the instance of the Commissioners or either of them; or was it wholly at the instance of citizens on the west side?

A. As far as I know, at the instance of citizens on the west side.

Q. Before that subscription was got up had you not heard a rumor that the Capitol was located on the east side of the river?

A. No. Not otherwise, except that I had heard that John Baldwin had stated that the Capitol was to be located here.

Q. About what hour in the day was it that you presented the subscription at H. H. Griffith's?

A. Immediately after dinner—between one and two o'clock.

Q. Were all the Commissioners present at H. H. Griffith's at the time that subscription was presented to them?

A. They were—or at least they were introduced to me, five of them, as the Commissioners, and I afterwards knew them as such. Seeing them afterwards and knowing them to be the Commissioners, I recognized them as the persons I saw there.

Q. Was not Mr. Street sick, lying on the bed at that time, at H. H. Griffith's?

A. He was, with his clothes on.

Q. Were not the other persons you saw out of doors sitting under the trees in the shade?

A. They were not. They were all in the front room in H. H. Griffith's house?

Q. Were not Mr. Goodrell and Guy Wells sitting out doors at the time you went there; did either of them go into the house while you were there?

A. They might have been when we approached the house: but if so they went into the house for they were all present when I had conversation with the Commissioners.

Q. Did you not hand the subscription paper to Mr. Wells when they were out of doors? did not Wells and Goodrell examine it and tell you to show it to Street in the house on the bed, and was there any person present in the room except Griffith and his lady at the time in the room?

A. My recollection is that the paper was not shown at all out of doors—that on making known the nature of my business in the room I was referred to Mr. Street, who was lying on the bed—that I gave the paper to him—that it passed from hand to hand to all the Commissioners—that neither Mr. Griffith nor his lady were present—that Mr. Griffith I saw standing in front of his house at the fence—that Mr. and Mrs. Griffith might have come into the house during the time I staid there, but if so they made no stay.

Q. With whom did you converse while you were in the house?

A. With Mr. Street particularly, but more or less with all the Commissioners.

Q. Was it not said publicly to you that the location had been made if the parties made conveyance of the land?

A. It was not in any manner whatever.

Q. Did you not go with Mr. Griffith up to the public square where the surveyor was surveying the land to examine it at the time?

A. I did—to the present grounds or near them.

Q. Who was engaged in surveying the land at the time you were there?

A. I do not know—there were a number of persons about the grounds—I do not remember who. I noticed no one surveying.

Q. How long did you remain where the surveying was going on?

A. I remained on the grounds some half hour perhaps.

Q. How long after you returned to the west side of the river before you heard of the location of the Capitol?

A. Just after dark I think I heard the rumor that the Capitol was located.

Q. Were all the Commissioners at the Demoine House when you saw them that evening?

A. I think they were, but I will not state positively. I think they were not when I went but I waited till they all came in, I think.

Q. Can you certainly say that Street was on the west side that night?

A. I am very confident he was.

Q. Are you as certain that he was on that side as you are that you had the conversation you have related?

A. I would not speak as definitely of the presence of the Commissioners in the evening as in the afternoon. I would not state that Street took part in the conversation that night. Most of the Commissioners were there if not all.

Q. In what room in the Demoine House was it you had the conversation?

A. It was a front room over the dining hall, and the first, second or third from the stairs.

Q. Were all the Commissioners that you talked with that night together in the room that night?

A. They were.

Q. How long did you remain in the room with them?

A. Perhaps ten minutes.

Q. Was not the subscriptions, a copy of which you presented here, at the time they were got up intended as a mere matter to make capital of, and with the understanding that they were never to be paid?

A. I signed the subscription in good faith myself and heard no one make any statement that they did not.

Q. Who acted as the agent in procuring these subscriptions?

A. I did to some extent, and there were other parties. I cannot say who now.

Q. Who owned the square that was proposed to be given to the State upon which it was proposed to erect the Capitol buildings on the west side?

A. Francis C. Grimmel and Richard Holcomb.

Q. Were those persons here at the time the Capitol was located?

A. I cannot say positively—I think they were. They had some days previously executed deeds of the ten acres and delivered them to Capt. West. I saw them.

Q. How far is that square from the river?

A. About five eighths of a mile.

Q. How far from the junction of the two rivers?

A. About three-fourths of a mile, I think.

Q. How is this ten acres marked on the map?

A. I never compared the deeds with the map, nor do I now recollect the description of the land in the deeds,—but I understand it to be at the north-west corner of Grimmel's addition.

Q. How does it lie in reference to your addition?

A. It is a little north-east from mine.

Q. How far from your addition?

A. An eighth of a mile, in my judgment.

Q. Did the Commissioners go and examine this land?

A. I understand they did. I do not know of my own knowledge.

Q. In getting up your subscriptions was there any property described or indicated other than the ten acres that was to be given to the State?

A. There was no other property described that I remember of.

Q. Do you know that the persons who subscribed had property to give?

A. I know that most of them had, and at the time of making the subscription it was my impression that all were good for the amounts subscribed.

Q. Was the subscription got up to be given to the State as a bonus?

A. It was.

Q. Where was the property of these subscribers situated that they were to give?

A. There was no statement made as to that. They were to give such property as they had.

Q. This property was then given as a bribe to the State and not to the men?

A. The land was offered to the State in consideration of the location of the Capitol.

Q. Were there any other subscriptions got up on the other side other than those you have described?

A. With the presentation of the two subscriptions we ceased all effort. We got up nothing further after that.

Q. Were not other subscriptions and notes got up there in consideration that it should be located on the west side?

A. There was.

Q. How much was so subscribed and by whom?

A. My impression would be that there was some \$11,000 or \$12,000 subscribed at one time.

Q. By whom was this sum subscribed, and in what shape was it fixed?

A. It was subscribed by most of the citizens on the west side of the river. As near as I remember the form was that they promised to pay to certain parties, of whom I was one, in case the Capitol was located on the west side of the river.

Q. Was it not collected in promissory notes?

A. It was mostly.

Q. Look at the petition and state how many of the signers were contributors to the fund you have last named.

Q. [By Mahony.] Was the fund of which you last spoke to be given to the State or to the Commissioners?

A. It was put into the hands of a committee to influence the location of the Capitol. There was no suggestion how it was to be used.

Q. Was you one of the committee, and how much did you contribute to that fund?

A. I was one of the committee. I contributed either \$500 or \$1000.

Q. Was that fund so raised either directly or indirectly ever offered to the Commissioners, through any person, or any part thereof?

A. It was not to my knowledge, unless the fact that that committee held consultations with John Baldwin in reference to price, could be called so offering it. As a member of the committee I received offers from John Baldwin, but have no knowledge of any direct specific offer being made him.

Q. Was not that fund raised for the purpose of being paid over to the Commissioners and used as a bribe to get the location on the west side?

A. It was put absolutely in the hands of the committee, and as one of that committee I felt authorized to do with it just as I saw fit; and had the proposition of Baldwin been accepted, it would have been paid him.

Q. [By Mahony.] Was any portion of this money ever paid to the Commissioners?

A. No portion was ever offered them unless the offer to Mr. Baldwin was so considered.

[Explanatory remark by Mr. White in reference to intimations or charges that he was an interested witness.] At the time of the location I was deeply interested in the west side, and fought the battle to the best of my ability to locate the Capitol over there—that since that time and now I have as much interest on this side as that—I signed a remonstrance against this investigation and did not solicit the privilege of coming here. I was compelled to come here, wishing not to do so—that my interests would suffer from this agitation, and am now adverse to its agitation.

The counsel for the Commissioners proffered the following question as cross-examination to the statements of John Baldwin, as drawn out in the examination in chief, which he still objects to as illegal and improper, and will maintain his exceptions thereto.

Q. When did you first see Mr. John Baldwin?

A. Probably three days before the location.

Q. How long after you first saw him, did you have the first conversation which you detailed on yesterday evening?

A. I think it was had immediately. I think he was introduced to me to talk on the subject.

Q. Who introduced him?

A. Capt. West.

Q. Was any one of the Commissioners present when he was introduced?

A. I did not at any time see Baldwin with the Commissioners.

Q. Where was it and what day was it you had the second conversation with Baldwin in reference to the closing of the trade?

A. It was the evening prior to the location of the Capitol in which he stated that the arrangement must be made with somebody for the location of the Capitol—it could not be delayed longer.—It was in my office on Second street.

Q. Did Mr. Baldwin go to your office voluntarily or was he sent for by you or anybody else?

A. Mr. West's office was next door to mine but one, and during the time of Mr. Baldwin's stay here, he was in the offices a number of times each day. I am unable to say that he was or was not sent for—my impression is that he came there as he came before.

Q. Was that on Sunday or Saturday?

A. I can't tell the day of the week.

Q. Was not the Capitol located on Monday the 22d of April?

A. I don't know on what day of the week the 22d of April fell on that year.

Q. Well, if the 22d was on Monday, did the conversation take place on Sunday?

A. I don't remember of holding any conversation with Baldwin on Sunday—but it might have been so.

Q. At the time you had this conversation had you raised the \$12,000 or did you raise it afterwards?

A. We had raised it before, I think.

Q. When was it that you saw Baldwin and asked him whether the purpose of the Commissioners could not be changed?

A. It was after the presentation of the first subscription paper and before the presentation of the second.

Q. About what time in the afternoon was it that you had this conversation with Baldwin?

A. It was soon after my return from the east side of the river, or between that and tea time. I can't fix the hour.

Q. Who was present beside yourself and Baldwin when the conversation took place?

A. I think Capt. West, a part or all the time.

Q. What became of the notes and obligations gathered up in that special fund?

A. They were returned to the parties giving them.

Q. Was Gov. Grimes here during the spring or summer of that season?

A. I never saw Gov. Grimes to know him till about one year ago, when I was introduced to him at Iowa City.

Q. About what time did you see Gov. Grimes at Iowa City?

A. I left here to go to Iowa City the 25th of February, and I saw him soon after my arrival, about the first of March.

Q. Where was Gov. Grimes when you saw him?

A. He was at the Clinton House, Iowa City. Mr. Goodrell introduced him.

Q. Did you at the Clinton House, in Iowa City, state to Gov. Grimes that you believed the Commissioners locating the Capitol acted honestly, and the imputation of bribery upon them was a slander, or words to that purport?

[Objected to by counsel for memorialists and objection sustained, for the reason, as stated by Mr. Mahony, that it was impertinent, as the answer, whether in the affirmative or negative would be a contradiction to anything which the witness has already said.—McCrory dissented. The question might be asked for the purpose of impeachment whether it relates to testimony already given or not.]

Q. Have you contributed anything or promised anything towards hiring counsel to prosecute this case?

A. I have not.

Q. Where were C. H. and W. A. Poindexter, who signed the subscription, at that time?

A. They were represented here by William Baker, a brother-in-law, who had charge of their property, which was in Keene and Poindexter's addition.

Q. Who subscribed per Barlow Granger?

A. It was for Lorenzo Bird, of Missouri.

Q. Do you know anything of the authority this party had to make this subscription?

A. I have bought property of Barlow Granger, as attorney in fact for Lorenzo Bird. I know nothing about Baker's authority.

Q. What do you know of J. A. Story's circumstances?

A. He owned quite a tract of land north of Grinnel's addition and still owns some.

DIRECT EXAMINATION.

Q. What was the value per acre of the land now known as Capitol Square prior to the location of the Capitol there?

A. I cannot fix the value of the property on this side of the river at that time. On the day the location was made there was either nine or thirteen acres in the north tract, now known as Stewart's addition, sold for \$150 per acre. Prior to that time it had been estimated to be worth \$100 per acre. This was situated in the same half section and was a part of that tract and was an undivided interest.

Q. [By Mahony.] Was the subscription to be made to \$200,000 and was that guarantied to the Commissioners for the State?

A. The first proposition is in the notice by Jewett. The subscription papers were forwarded as evidence of good faith. It was understood that the sum of \$200,000 was to be made up. I do not recollect of hearing the matter discussed, whether if any part of the \$200,000 was not collected from the parties it should be made up.

The Committee adjourned to March 1st, at 7 o'clock P. M.

[Signed.]

S. SIBLEY, Clerk.

MONDAY, March 1st, 1858, 7 o'clock P. M.

The Committee met pursuant to adjournment.

Judge Hall and J. A. Williamson for the Commissioners—D. F. Miller for the memorialists.

W. C. Burton being sworn, testified as follows:

Q. Were you residing at this city at the time the location of the Capitol was made, and if you were state all you know about the acts of the Commissioners in regard to its location?

A. I was. On the 22d of April, 1856, according to the date of the subscription papers, I came with G. Holland to J. M. Griffith's with a notice to serve on the Commissioners,—that the proposition was made in the notice that we were about to raise a subscription of \$200,000 for the State, provided the Capitol was located on the west side of the Des Moines river. We saw some two or three of the Commissioners at Griffith's and I believe that Mr. Wells was there at the time, and I believe two or three others. We told them our business. They told us that Mr. Street was over at H. H.

Griffith's and we had better go over and see him. We went in and he was lying on the bed with his back to the door, with his clothes on. We passed the time of day and told him what our business was and served a notice on him by giving him the notice myself and took a copy. We asked him if they had made the location. He said they had not. We asked him if they would take our proposition under consideration, and give us until tomorrow morning to complete the subscription. Part of the subscriptions were made and we wanted till then to complete it. He stated there would be no location till 9 or 10 o'clock next day and that they would receive any offer and take it under consideration, which we might make. That is all the conversation I had with the Commissioners.

Q. When did you first hear the location was made?

A. This was in the forenoon that we were over there as above stated, and in returning home I met Messrs. White and Jewett on the east side of the river coming over with the subscription.

Q. Was that subscription of \$200,000 made in good faith so far as you know?

A. It was to the best of my knowledge. Mine was. I was on the subscription paper. It was on the evening of the same day that I heard a rumor that the location was made, but nothing reliable.

Q. Do you know anything about any ground being offered on the West side of the river for the Capitol, in addition to the \$200,000?

A. Nothing more than what was contained in the notice by Jewett.

CROSS EXAMINATION BY HALL.

Q. Were you one of the getters up and signers of the memorial presented to the House of Representatives?

A. I was.

Q. Have you contributed to a fund to pay counsel to aid in this investigation?

A. I have not, but expect to.

Q. Have you directly or indirectly made any promises conditioned on the success of this investigation?

A. I have made a contract with an Attorney to attend to this business.

Q. Is the contract conditioned in any part?

A. It is not.

Q. Is there not a condition in some part with some of the counsel?

A. I have made a contract with Mr. Kasson. I am to pay him a certain amount, and if it takes more time and trouble than we are aware of, he leaves it optional with me to pay him what more it may be worth.

Q. Was this contract made before the memorial was presented to the House of Representatives?

A. It was made afterwards.

Q. Is there not a contract expressed or understood between yourself and others of the memorialists and counsel, that if a state of facts can be proved to remove the Capitol to the west side of the river that a larger sum of money shall be paid them?

A. All the contract with Kasson I have stated. All that I have to say is, that I have contracted with Mr. Kasson and if more work is required than expected, he left it to us to pay more as can be agreed upon.

Q. [By Miller.] Do you pay me anything except as counsel before the Committee?

A. I do not.

Q. Were you a contributor to any fund except the \$200,000.

Objected to and the objection sustained by the Committee.

Q. What time was the \$200,000 subscription commenced to be got up?

A. It was commenced on the morning of the date of that subscription paper.

Q. [By Mahoney.] Was there any rumor that the Capitol was located before that subscription paper was got up?

A. We had not understood that a location was made. There were many rumors abroad.

Q. [By Mahoney.] Had you any apprehension that the location was made or had been made that day, or did you dread that it would be made on the east side?

A. We had some fears that the location would be made on the east side. We had fears that the location would be made on that day, or some day soon, on the east side, from the rumor we had heard.

Q. [By Mahoney.] Are you certain that you did not hear that the location was made before the subscription was got up?

A. I am certain I did not so hear.

Q. Who was present when you had conversation with Mr. Street?

A. There was no one present.

Q. Did you not learn that McHenry was surveying out the square, and what time was it you saw Goodrell on the square?

A. It was some days after that—perhaps the next day or day after that I saw him and Lyons on the square.

Q. How long had the Commissioners been in session before you presented the subscription to Street?

A. I don't recollect who came first or last. They were not all here, or did not all come at once.

Q. Was there not a great deal of excitement on both sides of the river among citizens respecting the location of the Capitol, and was not every exertion and appliance and attention used by citizens on both sides of the river in order to secure the location of the Capitol?

A. There was a great deal of excitement at the time in regard to the location. The Commissioners I was not acquainted with at the time—some were. They were on the east side the most of the time. I think only two put up on the west side of the river—Street and Pegram I think. (To the last clause.) I do not know I suppose there was.

Q. Do you not know that part of the \$200,000 subscription was made without any intention of its being paid?

A. The impression at that time was, and my own now is, so far as my knowledge goes, there was not one dollar subscribed on that paper but was subscribed in good faith and would have been paid if the location had been made on the west side of the river. So far as I was acquainted with the subscriber's circumstances at that time I think they were all able to pay their subscriptions.

Q. Was it not got up as a last resort, or with a view to be ultimately used as they are now using it, to disturb the location of the Capitol?

A. It was got up as a last resort to get the location on the west side of the river, and if the Commissioners made the location on the east side, and not receiving for the State that amount, that that would be an evidence that they did not do their duty.

Q. [By Mahoney.] Was any other subscription got up to induce the Commissioners to locate the Capitol on the west side?

A. Other propositions were made, or were about to be made. I think of none that were made.

Q. How long before the presentation of the memorial was it got up?

A. It was written on Wednesday before it was presented, and circulated on Thursday and presented on Friday.

G. Holland, being first duly sworn, testified as follows:—

Q. Where did you reside when the present location of the Capitol was made?

A. At Ft. Des Moines, on the east side.

[As one of the memorialists who have hired counsel, Mr. Burton claimed the right or privilege to be present during the investigation, which was granted.]

Q. Did you have any conversation with the Commissioners, who located the Capitol, or any or either of them before the Capitol was located, and if yea state how you came to have that conversation and what it was?

A. Sometime in April, 1856, I think the day before the location of the Capitol, I took a notice to three of the Commissioners. The notice stated that we on the west side would offer on the next morning, to the Commissioners, \$200,000 to the State for the location, if they located the Capitol on certain grounds, on the west side of the river. Mr. Burton went with me. I found two of the Commissioners at J. M. Griffith's. Wells and Pegram. I handed the notice to Mr. Wells, I think Wells and Pegram both read the notice. I think the only reply either of them made was that we had better see the President of the Board. We then went to H. H. Griffith's to see the President—Mr. Street. Street said he was unwell—he was in bed—and stated that the next morning he would come over and consider the proposition. There was nothing said but by Mr. Street. He said it was not too late to consider the proposition.

Q. Do you remember what Mr. Street said about the location being made or not being made?

A. I think he said it was not made.

Q. State whether you believed at that time that the \$200,000 would be made up at the time?

[Objected to by counsel for the accused and objection overruled.]

A. I did.

Q. Were you one of the subscribers?

A. I was.

Q. Did you subscribe in good faith and did you believe the others subscribed in good faith?

A. I can't speak as to others. I did myself and would have paid it very freely.

Q. Did you see either of the Commissioners, especially Street, after the location, and what conversation had you with him?

A. I saw Mr. Street after that, and asked if he ever had said that the location was made before I served the notice on him. He said he had not so stated.

Q. [By Anthony.] Do you know of any money or other valuable thing being given to the Commissioners for the location of the Capitol on the east side of the river?

A. I do not, except from rumor.

Q. [By Mahoney.] Had you any apprehensions when that subscription was got up that the Capitol was located on the east side?

A. I did not think it was located.

Q. [By Mahoney.] When you signed the subscription did you suppose that the Capitol was located, and did you sign with the expectation of changing the minds of the Commissioners if the location had already been made?

A. I did not suppose it was located when I subscribed, as Street told me the proposition would be considered before I subscribed. I did not consider that the Capitol was located. I supposed it was not, I signed to get it on the west side. There was a rumor that it was to be located on the east side.

Q. [By Mahoney.] Were you influenced by the rumors that the location was made, and did you come over to see the Commissioners about it?

A. I don't know that I heard that the location was made,—only that it was about to be made.

Q. [By McCrary.] Did you sign the subscription expecting that the Capitol would be located on the east side, and that the subscription paper would be used to disturb the location after it was made?

A. I don't think I thought of it at the time. I don't think it

entered my mind—the thought of disturbing the location after it was made. I expected it would be located on the east side unless the subscription would secure it to the west side. I could not tell what effect the subscription would have. I thought it doubtful about the location. It might and it might not bring the location to the west side.

CROSS EXAMINATION.

Q. Was not that subscription got up after you heard the rumor that the Capitol was about to be located on the east side of the river, and as a mere experiment to disturb the prior determination of the Commissioners and to be used to impeach their acts if they located the Capitol on the east side of the river?

A. I don't think I signed it with that view.

Q. Where did you meet White and Jewett on the return from Griffith's?

A. Between Griffith's and the river.

Q. Did you come back with White and Jewett?

A. No, I went on.

Q. Did you subscribe the paper they took over or the one got up afterwards?

A. I don't think I saw the paper until after I went over to notify them.

Q. If you signed the first paper did you sign it before or after it was taken over by White and Jewett?

A. I think I signed it afterwards.

Q. Was that paper ever out of the possession of Street after given him by White and Jewett?

A. I do not know that the subscription was given him by them except by hearsay.

Q. What time in the day did you make your subscription to that paper?

A. I do not know. It was after dinner when I came over to Griffith's.

Q. Did you or any other person designate any property to be given to the State?

A. I did not.

Q. Where did you see Street at the time of the second conversation with him?

A. It was on the lower end of second street, west side.

Q. What time in the day and on what day?

A. I do not recollect. It was a day or two before he left town.

Q. Did not Street then tell you the Commissioners had made up their minds as to the location of the Capitol at the time you served the notice on him?

A. He did not.

Q. Was there any other conversation beside that you have stated?

A. There was none.

Q. Was you a subscriber to any other fund than the one to be given to the State for the location of the Capitol?

A. I was.

Q. How much did you subscribe?

A. I do not recollect.

Q. How do you know what day the Capitol was located?

A. Only from common rumor and seeing the the Surveyors on the hill with the Commissioners.

Q. Was not the Surveyor on the hill, making the survey, at the time you first saw Mr. Street?

A. Not that I know of.

Q. Had you not heard through White or some other person that they were making the survey at the time the notice was served?

A. I don't think I had so heard. I am pretty confident.

Q. Did you not hear it that afternoon?

A. I think I did.

Q. Are you acquainted with most or all the subscribers to this paper?

A. I was acquainted with most all in town.

Q. In getting up these subscriptions was it not urged as a reason why the subscriptions should be liberal, that there was very little or no probability that they would ever be called upon to pay?

A. I did not get up the subscriptions. I could not say positively. I think I heard the remark made that they would have the subscriptions to pay. I could not say it was by those who took the subscriptions.

Q. Was not that the feeling on the west side at the time?

A. I could not say what was the general feeling. I suppose some thought it would be located on the west side and they would have the subscriptions to pay.

Q. Was there not a good deal of excitement?

A. There was.

Q. Where was the ground upon which the Capitol was to be located to make the subscription binding?

A. There were two tracts proposed. The notice did not designate any thing more than ten acres. One was where Dr. Grimmel's new house now is, and the other was beyond that.

Q. How far from the river?

A. About a half a mile—about three fourths of a mile from the junction.

Q. How far above the fork is the nearest point of the river to this site?

A. From Coon River north about half a mile and a little west.

The witness pointed out the two proposed lots on the map, and said the land at that time was not sub-divided into lots, and that it is high ground.

EXAMINATION RESUMED.

Q. On what did you base the doubts you have expressed as having at the time in regard to the location of the Capitol on the east side?

A. My doubts were raised by rumors and not from what the Commissioners said.

Adjourned.

[Signed]

S. SIBLEY, Clerk.

TUESDAY, March 2d, 1858.

The Committee met pursuant to adjournment.

Hall appeared for defense,—Miller for memorialists.

Dr. F. C. Grimmel, being first duly sworn, testified as follows:

Q. Were you at Fort Des Moines at the time the Commissioners were here for the location of the Capitol?

A. Yes.

Q. Did you own land at that time, adjoining the town?

A. Yes. It is now within the town.

Q. Did you take the Commissioners on the land and offer any part of it for the location of the Capitol on it?

A. Yes, I did. I showed them all my lines and the spots that would be suitable, and offered them any ten acres they would choose

on the eighty acres I owned. The Commissioners came there—some six, seven or eight men came there. I did not know the Commissioners. Those that were with me I told they could have any ten acres they would choose to put the Capitol on. I don't know how much it was worth per acre. I sold some for about \$1200 per lot since. About four lots made an acre. They told me they were the Commissioners. I understood they were. This eighty acres was laid out into lots some time after that. I made the offer in good faith.

Q. How soon after you showed these lots was it before you heard the Capitol was located?

A. A day, or perhaps two days.

Q. Had you made a deed to one of those ten acre lots to the State?

A. I did make a deed.

Q. Where is that deed?

A. I don't know. It sent it to Iowa City and have not seen it since. It was a year or two prior to the location of the Capitol, and at the time the legislature was in session which passed the act for the removal.

Q. Did you make a deed to the State when the Commissioners were here?

A. I did.

Q. Did you give that deed to the Commissioners or to some one to give them?

A. I don't know. It was put in R. Holcomb's hands. Holcomb was willing to give ten acres if the Capitol came there.

CROSS EXAMINATION.

Q. Was not Holcomb to take the ten acres from you, and he to give ten acres to the State?

A. He was to give ten acres to the State if they wanted it. If twenty acres was taken from me for the State he was to give me ten acres; and if twenty acres of his land should be taken, I was to give him ten acres.

Q. Who was this understanding with?

A. With Holcomb.

Q. How much did you subscribe to bring the Capitol on the west side?

A. \$10,000.

Q. Who brought the subscription to you?

A. I do not remember.

Q. Did you understand that the Capitol was about to be located on the east side?

A. That was uncertain. I did not know. That was to be settled.

Q. Did you not believe the Capitol was about to be located on the East side?

A. I thought it was as likely to come on the West side as on the East side. I thought no sensible man would put it on the East side.

Q. Did you sign this paper now shown you? [Hereto attached and marked "E."]

A. That is my name to that paper. I think I signed it.

Q. Is that the paper on which you signed the \$10,000?

A. I think it is.

J. T. Baldwin, being duly sworn, testified as follows:

Q. Did Pegram ever tell you that the notes he had on Williamson and Scott had ever been paid?

A. No, sir.

Q. Did you see those notes in his possession?

A. No, sir.

Q. Did he say he had such notes?

A. No, sir. He never told me he had any.

Q. How much did you get for your influence in procuring the location of the Capitol here on the east side?

This question the witness declined answering, as it concerned his private affairs.

Q. Do you know of any lots or other property, or money being paid to influence the location of the Capitol on the East side?

A. No, sir. I did not see any person get any deed or anything.

Q. Do you know of any Commissioners being promised any lots on this side of the river?

A. No, sir.

Q. Do you know of any of the Commissioners buying any lots on the East side of the river at that time?

A. No, sir.

Q. Did Pegram tell you he had any lots on the East side of the river?

A. No, sir.

Q. Did he ever tell you?

A. Before we came here Pegram came into my office and said he had a proposition to buy some lots, and wanted to know if they would be cheap. I told him I thought they would.

Q. Was Mr. J. A. Williamson over to see Pegram before he came on to make the location?

A. No, sir. I did not see him.

Q. Did you come here to influence the Commissioners in the location of the Capitol?

A. No, sir.

Q. Did you propose to any person on the other side to procure the location on that side for a certain sum of money?

[Objected to.]

Q. Did you talk with the Commissioners about the location of the Capitol?

A. I did.

Q. What did you say?

A. I talked with all of them a good many times. I was always in favor of the location upon the East side of the river, and when I talked with them it was to that purport.

Q. Do you know that Pegram got lots on the East side of the river which he disposed of afterwards to Williamson and others?

A. I do not. I left immediately after the location was made, and never heard anything of his getting lots till long afterwards.

Q. Did not you know that Pegram got an interest in lots here, the title being in other persons?

[Objected to and question modified.]

Q. Did not you know that there were 250 lots on this side of the river set apart to secure the location of the Capitol? Did not you know that a number of lots were appropriated here to influence the location of the Capitol?

A. I did not at that time. During the winter that the act for the removal passed, I understood that some land was appropriated to defray the expenses of the persons going up to the Capital to lobby through the bill.

Q. Did you not hear that the promissory notes were sent to Council Bluffs for Pegram?

A. No, sir. I understood there was a note at Cassady & Test's office, at Council Bluffs, for Pegram.

Q. Did you and Pegram come here together?

A. Yes, sir.

Q. Did Pegram get notes while here from any body for any purpose?

A. No, sir, not to my knowledge.

Q. Did you go home with Pegram?

A. No, sir.

Q. What means did you use to influence the location of the Capitol on the East side?

A. I told them I thought it was the intention of the Legislature, or that if the Legislature had fixed the location it would have been made there.

Q. Did you get money or property to use your influence to get the location on the East side?

A. I promised none to the Commissioners, and none was promised through me.

Q. Where did the Commissioners stop?

A. Some at the De Moine House. I think all stopped there.

Q. Did they stop on the East side?

A. They did most of their eating and drinking on the East side. They remarked that the people on the West side gave them the cold shoulder; while on the East side they were treated with more hospitality, and this treatment on the East side had some influence in the location of the Capitol.

Q. Did not Street stop at Griffith's most of the time?

A. He first stopped at the De Moine House. He took sick and came over to Griffith's.

EXAMINATION IN CHIEF BY HALL.

Q. Do you recollect the day the subscription was presented to the Commissioners from the West side?

A. I did not see it. I recollect of some of the Commissioners speaking of a subscription.

Q. Who came up with it?

A. I don't recollect.

Q. State what time in the day was the location of the Capitol made when it was made?

A. I think in the morning, shortly after breakfast.

Q. What measures did the Commissioners take towards surveying the ground that morning?

A. I don't recollect. I think they were getting a surveyor.— I think I came up with them.

Q. Did they commence the survey before or after the location?

A. I think after.

Q. Do you recollect of White and Jewett's coming over on this side of the river the day the location was made?

A. No, sir. Some person came over while they were at Griffith's. I don't recollect who.

Q. [By Anthony.] What inducement did you hold out to parties other than the Commissioners that you could influence the Commissioners?

A. I don't recollect making any proposition to any parties.— Other parties offered propositions to me, not I to them. They talked to me as though I had the location of the Capitol for sale.

Q. Have you had conversation with parties on the East side since you were subpoenaed on the Capitol question, and before testifying before the committee?

A. I had conversation in regard to what I came over here and what could be proven by me.

Q. [By Mahony.] What was the character of your conversation with the Commissioners? Be more specific.

A. I could not state. I have met several of them together, and other persons, and we talked on various matters.

Q. [By Mahony.] What was the nature of your conversation with the Commissioners?

A. We talked about the various subjects of the day—many things.

Q. [By Mahony.] Was there any conversation between you and either of the Commissioners as to any interest they were to have in lands or lots, if they located the Capitol on the East side of the river?

A. No, sir. I had conversation with Pegram in relation to property here.

Q. [By Mahony.] Did you know of either of the Commissioners receiving or having any interest in lands or lots on the East side of the river, at the time the location was made?

A. No, sir. There were propositions to me individually.

Q. Did you understand that the propositions were for your own influence and not for the Commissioners, and that you were to keep as your own what was given?

A. That was my understanding. It was my own.

Q. Don't you know that Guy Wells claimed a large interest in lots or lands near the location of the Capitol at that time?

A. I did not.

Q. Did you stay with the Commissioners most of the time while they were here, and eat and drink with them?

A. I was over there with them several times, not every time. I was invited to tea with them several times.

Q. Did you not sleep with one of the Commissioners?

A. I did.

Q. What understanding was there between yourself and the Commissioners?

A. I was to have the benefit of the knowledge of the location from one of the Commissioners before it was made public.

Q. Did you exercise any influence with the Commissioners in consideration of offers made you?

A. I talked with Pegram many times about the location. I wrote to Pegram while the matter was before the Legislature, if he was in favor of the location of the Capitol on the East side. He wrote me he was. I helped to get him appointed.

Q. Were you to give the Commissioners anything for the knowledge they were to give you?

A. I was not. I gave them nothing.

Q. Did you receive information that there was to be a subpoena for you before you got it?

A. Yes, sir.

Q. Did it come in a letter?

A. I suppose it did. I got it from my brother, who lives at Council Bluffs.

Q. How soon after the information did you get the subpoena? How soon after your brother got the letter did he tell you?

A. I don't know. They go to the office in the morning—I was away. I got it in the evening.

Q. Who sent that information?

A. I don't know.

Q. Was there a suggestion that you had better go over into Nebraska for a few days?

A. No, sir.

Q. Did you see Pegram after you got the letter and before you got the subpoena?

A. I did not. I saw him, Pegram, after.

Q. What did you and he converse about?

A. He asked me if I was going on. I said yes. He asked if I thought he would get a subpoena. I thought perhaps he might.

Q. At the time you and Pegram had this conversation did he manifest any feeling?

A. No, sir. He said, "let her rip."

J. B. Stewart, being sworn, testified as follows:

Q. Did you appear before the Mayor and Aldermen of Des Moines City, some several months ago, to have a change made in the assessment of lots on the East side of the river that had been made to you?

A. I don't think I ever appeared before the Mayor and Aldermen when they were in session. I can say however that I requested one of the Aldermen—Tidrick, I think—and the Treasurer to see if the change could not be made. My reason was, the land had been assessed by the acre in one tract to myself and others. Several undivided interests had been conveyed to other parties prior to that time, some perhaps a year before, and as the tax amounted to about \$1,000, I desired to have the change made so that I could pay my part, and not pay for all the entire interest or assessment.

Q. Was Mr. Wells interested in any part of the property you had so assessed?

A. He was.

Q. To what extent was he interested?

A. To the extent of ten acres, from the 20th day of December, 1854, which was the date of the bond. It was not conveyed to him by deed 'till it was divided. It was conveyed since the first of September, 1857. He paid for it some time before—one half on the 20th of December, 1854, and the other half on the first of November following. The price he paid was \$35 per acre—a good price at that time.

Q. Where did that ten acres lay in reference to the Capitol?

A. It was an undivided interest in what is known as Stewart's addition.

Q. Was that land sold to Wells at the time of the passage of the act for the removal of the Capitol?

A. It was during that session of the Legislature—a verbal agreement was made before.

Q. How soon after that was Wells appointed one of the Commissioners?

A. I don't know exactly about the appointment.

Q. Was there any contingency in the verbal agreement?

A. None.

Q. Did you know, or was it not the talk before he was appointed, that he would be appointed?

A. If so, not more than a week or so. I think not.

Q. Did no one so state—no one from Iowa City?

A. I don't know that I heard his name mentioned.

Q. Do you know of any other property that Wells claims to have an interest in?

A. I do not.

Q. When the land was sold to him did you suppose he would be appointed?

A. I had not the least idea of it.

Q. Did you not expect that Wells would use his influence with the legislative delegation?

A. I did. I supposed it would result in that.

CROSS EXAMINATION.

Q. Did not Wells pay full price, and even higher than others who purchased interests in that land?

A. He did pay as high or higher than some land in the same tract sold for?

Q. Did Judge Wright pay as much as Wells?

A. No. He had it \$5 per acre less.

Q. When did Wright get it?

A. He got it about the time of the passage of the law.

J. A. Williamson, being duly sworn, testified as follows:

Q. Do you know of Pegram's receiving or having received any promisory notes, on or about, or soon after the location of the Capitol?

A. I do.

Q. How much were the notes for?

A. There were some two or three of them. In all the amount was \$10,000.

Q. Have these notes been paid?

A. I think they have.

Q. Were these notes for interests Pegram sold in property on the East side of the river?

A. Yes.

Q. Where did the property lie?

A. On a plat recorded as the town of Des Moines.

Q. What was the number of lots that he sold?

A. About fifty I think.

Q. Did he get these at or about the time of the location of the Capitol?

A. I understood he did.

Q. How many lots had Street?

A. I don't know. I never had any conversation with him about it.

Q. Did you know he had any?

A. I know by hearsay only that he had lots.

Q. Do you know of Wells having lots except the ten acres over here?

A. I heard Wells say he had purchased a lot of Scott, to build an office on if he should desire, on the bottom.

Q. Were you one of the parties who purchased the lots of Pegram?

A. Yes.

Q. From whom did the title come?

A. I received my title from W. A. Scott.

Q. Who was the other party who purchased with you from Pegram?

A. W. A. Scott signed the note with me for them.

Q. Who bought Street's lots?

A. I know nothing about Street's lots.

Q. Is it in your knowledge that any other of the Commissioners than Pegram had any interest in lots or land here?

A. I don't know of any one's having any interest in lots or lands, directly or indirectly, here. I heard such things.

Q. Did you know the consideration Pegram gave for these lots?

A. As an Attorney I drew the papers for these lots, in which the consideration mentioned was \$10,000. I saw no money paid except to me as Attorney, for fees.

Q. Was there any money paid, or was there any consideration

as you understood, except the services of Pegram as Commissioner in improving the value of the land or lots?

A. \$10,000 was the sum talked of. If anything further was mentioned it was in a professional manner which I do not choose to divulge.

Q. Did you draw up any papers between the Commissioners or either of them or any other person similar to those between Pegram and Scott?

A. I have always drawn up Scott's papers. I have no recollection of drawing up any papers between Scott and either of the Commissioners or any other person and the Commissioners.

Q. Do you know of any property being conveyed, or money given to Baldwin. [Objected to by counsel for accused.]

A. If I have any knowledge about that it is of a professional character. I wanted the influence of Baldwin and would have been willing to have paid him for it.

Q. Did you go to Council Bluffs to see Pegram?

A. I never saw Pegram till he came here. I went to Council Bluffs, but I did not see Baldwin.

Q. Did you know of Crookham's having any lots here?

A. I heard so. I don't know of whom he got them.

Q. Had you an interest in Scott's addition?

A. I had—of ten acres.

Q. Was Dr. Shaw a partner in interest?

A. He was.

Q. Was any part of that addition sold to the Commissioners or either of them?

A. Pegram stated he had bought fifty lots in that addition.

Q. Did you know of any attempts being made to influence the Commissioners in the location of the Capitol as now made?

A. I do. I worked steadily for it for a year and a half to get the location where it now is. I used all lawful and legal means to get it, including Chesapeake and Sardinian appliances, and any quantity of whiskey.

Q. Do you know of any money or property being devoted to influence the Commissioners in making the location as now made?

A. I know I expended a good deal of money indirectly to influence the location here. I expended it in influencing public opinion—in traveling from point to point, to secure this point as the best calculated to accommodate the most people of the State,

and as the point where more liberal donations could be got for the State, and as a better town site, and where there would be more facilities for any person, who wished to get a lot in the Capitol, to get it at the cheapest rates.

Q. Were the Commissioners to have any interest in town lots or land?

A. I solicited persons to make such donations after knowing that similar appliances were being used by parties on the other side of the river. If ever such donation was made it was by myself, and would be a part of my private business, concerning which I decline answering any question.

Q. What was the result of your application to such persons?

A. I found one person who was willing to trust ten or fifteen lots in my hands. That was all that were placed at my disposal.

Q. Have you any knowledge of applications of a similar kind being made to or for other parties to influence the Commissioners?

A. No.

Q. Have you any knowledge that any of the Commissioners, except Pegram, received bribes or bonuses, or other thing to influence the location of the Capitol?

A. I don't know Pegram's notions about the location of the Capitol. I don't conceive it possible that the other Commissioners could be bribed if they did receive bonuses. I have every reason to believe, from their own convictions, that they believed this to be the right place for the location of the Capitol. I don't know of any bonus being given to influence their vote or action. I don't know that anything was given Pegram to influence the action of his judgment.

Q. Did they receive any gratuity in lands, money or lots before or after the location was made?

A. I think it possible they might have had some presents given them after the location of the Capitol. I know some of them have property here, and I don't know anything to the contrary that they paid a consideration to Scott. I got up the papers and they expressed a fair consideration. I do not know anything to the contrary to there being a fair consideration paid.

Q. Who were the parties to these papers?

A. I drew up a bond between Scott and Pegram. He bound himself to convey fifty lots. I think I got up no other papers between them at that time.

Q. Did you hear any person say that he would give the Commissioners any bonus to bring the location over here?

A. I don't recollect anything particularly about that. I have heard, and it was common talk, that we would give anything to get the location of the Capitol.

Q. Were you interested in Program's lots got of Scott?

A. No, sir.

Q. Who went after Crookham?

A. Thomas Mitchell.

Q. Where was he?

A. In Marshall County.

Q. Did Street buy lots here?

A. I don't know.

Q. Did Baldwin come to you and state if you would give \$1000 in addition to the lots, he would secure the location on the East side of the river?

[Objected to, and the witness declined to answer. The counsel for memorialists modified his question.]

Q. Do you know of Baldwin's getting \$1,000 from others?

[Objected to and the question modified.]

Q. What appeared to be the relation of Baldwin to the Commissioners while here?

[Objected to, which the Committee sustained, as not being directly pertinent to the issue.]

Adjourned.

[Signed.]

S. SIBLEY, Clerk.

MARCH 3d, 1858.

The Committee met pursuant to adjournment.

James Campbell, being duly sworn, testified as follows:

Q. Did you reside in this city at the time of the location of the Capitol?

A. Yes, sir, on the West side.

Q. Had you any conversation with the Commissioners, or either of them, at the time of the location of the Capitol, or soon after? And if so, state all that conversation, whatever it was.

A. About a week after the location I had a talk with Crookham in regard to the location—don't know the exact words—not half of it. We were talking more or less about the location made,

and next about lots. I don't recollect of his saying how he got them, or how he paid for them—don't recollect how many there were. I understood him to say he had some lots over there—the East side—and was going to have them surveyed before he went home. I think it was before he went home. It might have been after he went home and came back.

Q. Were you well acquainted with Crookham at that time?

A. I was. I had been acquainted with him for several years.

Q. What was your reply when Crookham said he was going to have his lots surveyed off?

A. I think I said, if I were he I would have them run off and get the deeds before I left, or something like it. It may be entirely different from what I have stated. I did not charge my mind with it.

Q. What was your understanding of how he got them?

A. I thought then for locating the Capitol over on the East side. He did not say so, nor speak of it in the least. I wish I knew more of it. I would tell it. I would like to blow it higher than the sky.

Q. Did you hear him say anything about any other of the Commissioners having lots on the East side?

A. I don't remember.

Q. Did you have any conversation with Crookham about any of the rest of the Commissioners?

A. I don't recollect. I don't think I did. These lots spoken of I understood to lay on the East side.

Q. Do you know whether any of the Commissioners received anything in lots or money?

A. I do not. I did not hear from whom the deeds to Crookham were to come.

CROSS EXAMINATION.

Q. Where were you when this conversation took place?

A. In the third story of my building down at the point.

Q. Did not, in the same conversation, Crookham tell you he was looking for Charley Van to go over Coon river to survey land?

A. I think he was looking for a surveyor—don't know who,—something was said about his—Crookham's—looking for a surveyor. Don't recollect anything about Coon river.

Q. Might not the conversation of Crookham have been in reference to land the Commissioners got for the State?

A. That might have been. But I think he said he had got so many lots over there on the East side.

Q. Did not he tell you he was going over south of Coon river?

A. It might have been. I don't know. I don't recollect.

Q. Did he not tell you he was going home as soon as he got the survey and deeds?

A. It might have been—think he did.

Q. Did not Crookham meet the surveyor and send hands to go on and survey on the other side of Coon river?

A. I don't know—do not recollect.

Q. Did you understand that he got the surveyor?

A. I don't recollect of seeing them meet—did not pay any attention to it after I stopped talking with Crookham.

Q. In the same conversation did he not tell you the people were foolish on this side for not donating for a State University?

A. He may—I don't recollect.

Q. Did you not at the time feel deeply interested in having the Capitol located on the west side of the river?

A. Yes. But this was after the location was made.

Q. Did you not feel disappointed and chagrined at the location over there?

A. I did. I didn't think there was a disinterested man in the United States who would locate it on the east side of the river. I did not think they could locate it over there.

Q. Was it not McHenry, Crookham was looking for as surveyor?

A. It might have been. I don't recollect.

DIRECT EXAMINATION.

Q. When you had this conversation why did you say he had better get the title right before he left?

[Objected to.]

A. Only as it would be my way of doing business.

Q. At the time of the conversation did you think the Capitol grounds had been surveyed?

A. I did not know.

Q. What led to this conversation with Crookham?

A. I don't recollect. I think it was about the Capitol—think I said we would have given more on this side than they gave on that—think I recollect asking how much they, the Commissioners, got over there for themselves. I don't know that Crookham took

it that way. I took it they got it for themselves—told him we would have given twice that on the west side.

Q. When you said you would have given twice as much, did you mean to the State or to the Commissioners?

A. I hardly know—would have given to the Commissioners or to the State.

Q. What reason had you to think they would accept offers, or were in market?

A. Because I thought no reasonable, disinterested man could locate it over there.

Q. Did you not visit Crookham at Oskaloosa, to learn where he would locate the Capitol?

A. I went to Oskaloosa. I was very anxious to learn which side he was in favor of—don't think I put it to him right straight.

Q. What did Crookham reply?

A. I don't think he gave any preference—thought he was as favorable to the west side as to the east side—think he said he had not examined the east side—think he said my property was as good as in the Fort, and he would not change it let the Capitol go where it would.

The Committee then adjourned.

[Signed.]

S. SIBLEY, Clerk.

MARCH 4th, 1858.

The Committee met pursuant to adjournment.

Parties appeared by their respective counsel.

A. *M. Cassady*, being duly sworn, testified as follows:

Q. Mr. Cassady, I am instructed to inquire of you whether you had any conversation with any or either of the Commissioners about the location of the Capitol of the State since the location was made, in relation to his ownership of property at Des Moines City; if yea state who that Commissioner was you talked with, and what he said, and about what time he said it.

A. I had a conversation with Mr. Crookham. I think it was in the latter part of 1856 or early part of 1857. We were conversing about the depreciation of real estate in the country. He told me that Mr. Mitchell and himself had an interest in property at or near Fort Des Moines, for which they had been offered from

\$5000 to \$10,000, and that he was in favor of selling. Mitchell considered the land would advance and was opposed to the sale.— I think that was in 1857. The amount would range from five or six thousand to ten thousand dollars—about eight thousand dollars. This conversation took place in Crookham's office. The cause of it was we were talking about the depreciation in the value of land—the conversation rose in that way. He and I had something to do in real estate then.

CROSS EXAMINATION.

Q. Did not this conversation take place in the fall of 1857, after the hard times had commenced and had begun to depreciate?

A. I will not state positively at what time, but think it was as early at least as the spring of 1857, from the fact that I had just returned from the east at that time, and I returned in the latter part of April. I think that was the time. It might have been before I left for the east.

Q. Was not this all a matter of joke and romance, and did not the conversation arise from your asking Crookham how much he made at or from the location of the Capitol?

A. I think not for the reason that we were conversing on the depreciation in real estate and I think there was no person but Crookham and myself present at the time. I have joked with him in relation to the location but not at that time.

Q. [By Crookham.] Did I not say in that conversation a speculation of 61 acres, I think, was offered to me, and Mitchell estimated that at \$5000, and Mitchell thought we had better go into it, and that it now could be had for less than half that money?

A. I think the conversation related to an interest he (Crookham) had that time with Mitchell, and as near as I remember, his language was that Mitchell and himself had an individual interest at Fort Des Moines, for which they had been offered several thousand dollars, as I stated before—that Crookham was in favor of selling but Mitchell considered the real estate would increase in value and was opposed to the sale.

Q. [By Mahoney.] Do you know of any lots, lands or money being given to the Commissioners for locating the Capitol?

A. I do not.

Thomas Mitchell, being duly sworn, testifies as follows:

Q. Were you here at the time of the location of the Capitol?

A. I was.

Q. Did you go on behalf of the Commissioners, or anybody else, to bring Mr. Crookham in?

A. I went at the suggestion of certain others—Dr. Brooks and J. M. Griffith.

Q. Where did you find Mr. Crookham?

A. In Marshall County, Marshalltown.

Q. Did you return with Crookham to this city?

A. I did.

Q. Do you know of Crookham's buying any property here after he returned?

A. I do not.

Q. Do you know of Crookham's ever buying any property about this town?

A. I think I do. He may have owned some in this county.

Q. Who did he get it from?

A. I don't know.

Q. Where does it lay?

A. I don't know.

Q. How did you understand that Crookham owned property here?

A. I think I heard from him.

Q. When did you hear it from him?

A. I think at different times before and since the location.

Q. Does the land lie on the east or west side of the river?

A. I think on both sides.

Q. Are you interested with him in any property in this county?

A. No, sir.

Q. Were you ever interested in any property in this county with him?

[Objected to and the objection sustained. This question the witness declined to answer and the counsel for the memorialists put the following:]

Q. Was Crookham ever, or is he now interested in any property in this county with you?

A. He was not interested with me in any property prior to the location of the Capitol.

[The witness declined answering whether he (Crookham) was

ever interested with him in property since the location, and filed the following reason, to wit:—

“The witness objects to answer the question because it embraces an inquiry entirely beyond the jurisdiction of the Committee and not pertinent to the subject under investigation, and because it may send, if answered affirmatively, to bring deponent into public scandal.”]

Q. How long is it since Crookham became interested in the property which you declined answering about?

[Objected to but not sustained. The witness then filed the same reason for not answering as is last above given, and refused a further answer. The Committee excused the witness from answering on the ground last stated, as coming within the statute exempting witnesses from testifying in certain cases.]

Q. When you went to see Crookham did any one authorize you to make any arrangement in regard to the sale, trade or conveyance of any property to Crookham, and if yea did you give Crookham information of that fact?

A. I think not. I might have told him there was a good deal of property here to sell—might have made such a proposition as that.

Q. Did you tell him there was any property to sell on the east side of the river?

A. I think not. I may have.

Q. Do you know of Crookham's getting any interest in property here at or about the the time of the location of the Capitol here?

A. I do not.

Q. Do you know of his getting any interest in property on the east side of the river since the location of the Capitol?

[Objected to, but not sustained. The witness declined to answer the question in full, for the reasons stated in his refusal first above written, and proceeded to answer as follows:]

A. I don't know as he has or ever had any legitimate title or interest in a part of land on the east side of the river. He has property in the county, I have understood, but I don't know where it is located.

Q. At or about the time, or soon after the location of the Capitol, did you hear Crookham speak about any interest in property he had here?

A. Yes, I think I heard him say he had some property offered to him.

Q. Who offered it?

A. I don't know. He had several propositions of the kind offered him.

Q. Were these propositions made just before or immediately after the location?

A. I cannot say. I think they must have been before.

Q. Were they made after you came with him (Crookham) from Marshall county?

A. I think not—think they were made before.

Q. What did Crookham say these propositions were?

A. I think they were in relation to property on the west side.

Q. What did he say about property being offered to him on the east side?

A. I never heard him say anything about it, I think.

Q. Do you, Mr. Mitchell, say on your oath, that you did not on or about, or soon after the location of the Capitol was made, or that you do not know of Crookham's procuring an interest in some property on the east side of the river,—I don't mean the title, but a right to procure a title in certain contingencies?

[Objected to by counsel for accused, but objection not sustained. The witness declined to answer the question and for reason says:

“It will open my whole private business. I am willing to answer any question relating to the locating of the Capitol.”]

The Committee refused to entertain the excuse proffered by the witness, as it does not conform or attempt to conform to the provisions of the statute exempting witnesses from testifying in certain cases.

The counsel for the memorialists decline to question the witness further till the question last put shall be answered.

Mr. McCrary, one of the Committee, thinks the question should be changed so as to enquire of the witness whether he knows of Crookham's owning any property got by the location of the Capitol?

CROSS EXAMINATION.

Q. Do you know of Mr. Crookham's having received any compensation in money or property, as a consideration or inducement, to locate the Capitol as it was located by the Commissioners?

A. I do not.

J. B. Stewart, re-called :

Q. State if either of the Commissioners owned any part of the addition in which you spoke of Wells as being interested in ?

A. Yes, I believe I made a conveyance of some lots to the extent of five acres, That interest he purchased of Van Buskirk at about \$400—or from \$300 to \$500 per acre. The purchase was made by Goodrell in the summer or fall of 1856.

Q. Did you see the money paid ?

A. I did not. The interest had been owned by Baldwin, of Fairfield, and by him sold to Van Buskirk. The deed was made to me by Baldwin. The reason why I know it was purchased by Van Buskirk was that he got the deed and gave it to me, and I gave him, I think, a bond for two and a half acres. There was a bond given by Van Buskirk to Goodrell for five acres. I lifted that bond and gave Goodrell a bond agreeing to convey lots to him when the tract was divided.

Q. What was the date of the bond from Van Buskirk to Goodrell ?

A. I think it was in the summer of 1856.

Q. Is this Baldwin of Fairfield a brother of the one who testified here the other night ?

A. I have heard so.

Q. Do you know who Baldwin bought the land of ?

A. He bought it of me.

Q. What time did he pay for it ?

A. Sometime in 1854 or 1855, in the winter or spring.

Q. Was it after the law passed for the re-location ?

A. It was in the spring of 1855. He paid me \$35,00 per acre for it.

Q. Had Van Buskirk any other property on this side of the river ?

A. I don't know of any except in the three hundred and sixty-two acre tract lying north-east of the Capitol square, in Stewart's Addition.

Q. What interest had Van Buskirk in that tract ?

A. I know of his having 14 acres at one time. He bought and sold a great deal in it.

Q. What interest had he at the time of the location of the Capitol ?

A. I think five acres—don't know.

Q. Do you know of Street having any interest here since the location of the Capitol?

A. No sir.

EXPLANATION BY STEWART.

When he, Miller, on your first examination, asked if I expected Wells to use his influence to remove the Capitol. I will reply further that he, Wells, never made any proposition to use his influence, and that I never required it or spoke of it as a condition, and that I never spoke of it at all as connected with that transaction—that all our conversation on the subject of the removal of the Capitol at that time and before, was his conviction that the Capitol would evidently come here, at this town or near it.

Q. Do you know of the Commissioners receiving anything either directly or indirectly for locating the Capitol on the east side of the river?

A. I do not.

Adjourned.

[Signed]

S. SIBLEY, Clerk.

MARCH 6th, 1858,
Seven o'clock, P. M. }

The Committee met pursuant to adjournment.

The parties appeared by their counsel.

J. C. Warner, being duly sworn, testified as follows:—

Q. Did you have any conversation with either of the Commissioners at or about the time of the location of the Capitol, and if yea state whom you conversed with and what he said in reference to the location of the Capitol?

A. I had conversation with them—with Mr. Goodrell, Crookham and Pegram—at the time of the location, prior and after.

Q. Did either of the Commissioners say to you anything about making a speculation out of the location?

A. I don't know that they said that. I think one of them said in a jovial way that he intended to make something. This was Mr. Goodrell.

Q. What did Street say?

A. I don't think he said anything about that. We talked several times about the location. I don't think he said anything in

particular about any particular location. I think Street and two or three others of the Commissioners said they had examined several sites and had found two that would be good sites for the Capitol.

CROSS EXAMINATION.

Q. Were you not in the habit of joking with Mr. Goodrell?

A. Yes, sir.

Q. Did not Mr. Goodrell say at that time that he would locate the Capitol to the best of his judgment?

A. I don't think he did say so at that time. I think I have heard him say so, previous to that time.

Q. Was the conversation before or after the location?

A. I think it was the evening it was located.

DIRECT EXAMINATION RESUMED.

Q. Do you know of Goodrell's claiming any property on the east side of the river at or about that time?

A. He told me that he had some.

Q. How soon after the location did he tell you so?

A. Within three or four days after.

CROSS EXAMINATION RESUMED.

Q. Did not Goodrell leave within three or four days after the location?

A. I don't know. He said he was going to buy some property on the east side. I think three or four days after he said he had some or had bought some. He had told me prior to this three or four days that he intended to purchase some.

Q. Did he not tell you he was coming here to live?

A. I think he did. Yes, he told me that.

Q. Did he not return within a month after the location of the Capitol, and might not this conversation have been after he returned?

A. I think not. I think this was within three or four days after the location of the Capitol. We had several conversations after this in which he told me so.

Q. Where were you when the conversation took place, and who were present?

A. I think we were alone. I think it was in Walnut Street nearly in front of the De Moine House.

Q. Did he not tell you he was going to start a lumber yard?

A. I don't think he did. I think that was after he returned ; though he might have told me so then.

Q. Did you subscribe to the secret fund to procure the location upon the west side ?

A. No, sir. I know of no secret fund.

Q. Did you subscribe for any purpose whatever ?

A. I did not—not any amount. I was in partnership. My partner may have. If so it was to the State, not to a secret fund. Nothing was put down to my knowledge upon any subscription.—I have heard my partner subscribed to the State. I don't think it is true.

Q. Were you the proprietor of the De Moine House at the time of the location, and were Mr. Goodrell and other Commissioners your guests ?

A. I was, and they were my guests, all of them.

Q. [By Anthony.] Do you know whether anything was given to the Commissioners for the location of the Capitol ?

A. I do not.

W. A. Scott, being duly sworn, testified as follows :—

Q. Where did you reside at the time of the location of the Capitol ?

A. At this place, on the east side of the river.

Q. Did you see the Commissioners at the time they were here to locate the Capitol ?

A. I did.

Q. Did you have any conversation with them in reference to the location and before it was determined ?

A. Yes, sir.

Q. Who owned and laid out those additions which I now point out on the map ?

A. I and Dean laid out Scott and Dean's Addition. I was interested in the town of Desmoine and in Scott's Addition. I can't tell who owned them unless I go to my private papers.

Q. On which of these, if either, was the Capitol located ?

A. It was partly on Scott's Addition to the town of Demoine and partly on Lyon's addition.

Q. Did you, at or about the time of the location of the said

Capitol, sell and convey, or agree to convey, or agree to hold in trust, any part of your said property for Mr. Street, one of the Commissioners?

[Objected to by counsel for the accused. The witness refused to answer the question and filed the following reason for such refusal:—

“The witness refuses to answer the question on the ground and for the reason that if any act done, or transaction had, between Mr. Street and this affiant, would tend to impeach the conduct of Mr. Street, it would and will operate to impeach and disgrace affiant; and he further bases his objection and refusal to answer, that the answer which he would be compelled to give, taken in connection with the evidence already taken and questions that might follow—this answer, will tend to disgrace this affiant.”]

The Committee refused to excuse the witness from answering the question for the reason that the reason for such refusal does not conform to the requisition of section 2397 of the Code, which exempts witnesses from answering in certain cases.

Q. Did you convey, or agree to convey, or agree to hold any of your said property in trust, for Guy Wells, on or about the time of the location of the Capitol?

[Objected to by the counsel for accused. The witness refused to answer the question and for ground for such refusal gave in the same statement or excuse, as to the last preceding question.

Whereupon the Committee refused to excuse the witness from answering for the same reason stated to the last preceding question and refusal.]

Q. Did you, at or about the time of the location of the Capitol convey, or agree to convey, or to hold in trust, any of your said property for Mr. Pegram?

[Objected to by counsel for the accused. Whereupon the same refusal and reasons for refusal were given as to the second above written question; and for the reasons following such refusal, the Committee refused to excuse the witness from testifying.]

Q. Did you, or did you not, at or about the time of the location of the said Capitol, convey or agree to convey, or to hold in trust any portion of your said property, to said Commissioners or to any or to either of them?

[Objected to by counsel for the accused. The witness refused to answer the question, and for excuse for such refusal filed the

same reasons as to the third above written question. The Committee refused to exempt the witness from testifying for the reasons stated to the refusal and reasons therefor, to the third above written question.]

H. S. Busic, being duly sworn, testified as follows:

Q. Did you reside here at the time of the location of the Capitol?

A. I resided in Polk county, near Saylorville.

Q. Do you or do you not know of any money or property being promised to be paid or furnished to influence the location of the Capitol on the east side of the Des Moines River?

[Objected to by counsel for accused, on the ground that it embraces too much; which objection was sustained.]

Q. Do you know of said Commissioners having received the promise of any property at or about the time of the location of the Capitol to influence the location where it now is made?

A. I do not.

Q. Did you or did you not sell property on the east side of the river for one or more of the Commissioners?

A. I did not to my knowledge.

Q. Did you, or did you not carry, or were you or were you not requested to carry money to one or more of said Commissioners, say Pegram or Street; and if you were so requested so to carry, did you or did you not pay the same to the said Pegram or Street?

[Objected to as to that part which calls for declarations other than those of Pegram and Street, which was sustained by the Committee.]

A. I never carried any money to either Pegram or Street. I saw none. I handled none.

Q. Do you or do you not know of any or either of the Commissioners claiming any property on the east side of the river, at or about or soon after the location of the Capitol?

A. I heard one of the Commissioners speak of property which I understood from him he owned here. It was sometime after the location. Of my own knowledge I know nothing of it.

CROSS EXAMINATION.

Q. Who was the Commissioner, and how long after the location, and has he not since been a resident of this town?

A. It was Mr. Goodrell. I have understood him to be a citizen of this town. It was after he left here after the location and had come back. Since then I have understood him to be a citizen here.

The Committee then adjourned.
[Signed]

S. SIBLEY, Clerk.

MARCH 8th, 1858.

The Committee met pursuant to call.

Miller appeared for the memorialists and Hall for the accused.

The counsel for the accused called M. D. McHenry to the witness stand, who testified as follows:

Q. Were you in the city of Des Moines at the time the Capitol was located in 1856; if so what time in the day the location was made did you learn the location was made?

A. I came to Des Moines on Monday the 21st of April, 1856, before sunrise of that day. My business here was with Mr. Street, one of the Commissioners. I found him about nine o'clock that morning, and during that forenoon learned from him that although no formal vote of the Commissioners had been taken on the subject he was in favor of the location on the East side himself, and knew enough of the sentiments of others to be satisfied it would be so located. He said they would determine the matter formally that evening, or the next morning as he supposed. Mr. Street introduced me to the other Commissioners and I roomed with them, and may be said to have been one of their company while I remained. On Monday afternoon or Tuesday forenoon—I feel pretty confident it was the latter—I was for the first time introduced to William H. McHenry, my present partner in business, while he was in the act of fixing the exact position of a section corner, or centre, near the school house, close to the north-west corner of the Capitol Square. He was then defining the exact limits of the square under the direction of the Commissioners, as I was informed on the ground among them, and the fact that they had made the location was spoken of in the crowd as a thing then made known by themselves. I am not certain that I heard any of them say so just then, but it was so stated either by them or by others in their presence, as a matter which they had determined on and made known.

[The latter part of the answer was objected to by the counsel for the memorialists.]

CROSS EXAMINATION.

Q. Do you reside on the East side of the Des Moines river, and are you interested in property on that side?

A. I live in Des Moines, east side of the river, and own a good many lots on that side—none on the west; and further saith not.
[Signed.] M. D. McHENRY.

H. H. Griffith, being sworn on the part of the accused, testified as follows:

Q. Were you in the city of Des Moines at the time the Capitol was located in 1856, if so state what time in the day the location was made did you learn the location was made?

A. I was a resident here at the time—can't say the day exactly—my understanding was that it was on Monday evening.

Q. What time in the following day did they commence to survey off the Capitol Square?

A. I can't say—my impression is they commenced the following day.

CROSS EXAMINATION.

Q. Do you own property on the East side of the river?

A. Yes, sir.

Q. [By McCrary.] Do you remember when the survey was made—whether before or after the location?

A. I don't recollect. The day Street came to my house, on Monday evening, sick, my understanding from him was that the location was made. He gave that as a reason why he wanted to leave, and wanted a place to rest.

Q. Did you at or about the time of the location, convey or agree to convey, hold in trust or agree to hold in trust, any property for either of said Commissioners, or for any person in their behalf, or for them?

[Objected to by counsel for accused and sustained.]

Q. Did you convey or agree to convey any property to influence the location of the Capitol?

[The witness refused to answer this question on the ground that it concerned his own private affairs, which he is under no obliga-

tion to divulge. Objected to by counsel for accused as not proper cross examination, and as an imposition on any attempt on the part of the respondents to take testimony. The Committee refused to excuse the witness.]

Q. Did you, at or about the time of the location of the Capitol, convey or agree to convey, or hold in trust, any property for the Commissioners, or any or either of them, or to anybody else on their behalf, to influence the location of the Capitol?

[Objected to by counsel as not cross examination, and a palpable violation of every rule of taking testimony.]

A. I answer that question emphatically no. I answer so because I may be liable to misconstruction by refusing to answer, and not because I think the question a proper one.

The Committee then adjourned.

[Signed.]

S. SIBLEY, Clerk.

MARCH, 9th, 1858.

The Committee met pursuant to adjournment.

The parties appeared by their respective counsel.

The following witnesses were sworn by the excused:

B. F. Allen, being duly sworn, testified as follows:

Q. Were you a resident in Fort Des Moines at the time the Capitol was located here, in the year 1856?

A. I was.

Q. Look at this paper [marked "E."] and state whether you signed that paper, what the circumstances were under which you signed, and whether *bona fide* or not, and whether it was not got up after there was a report that the Capitol had been located?

A. I did sign it, though I had forgotten it. I did not wish to sign it, but I see it is my name and I now recollect about it. The understanding was, it was told me, that it was got up merely for "bunkum," or sham, and not *bona fide*, on my part, and it was not expected by me that it would be paid. I don't recollect; it is so long since I can't tell whether the Capitol was located at the time or not. I cannot tell for certain; my impression is that it was located.

Q. [By Mahoney.] Do you speak for others as well as yourself?

A. I do not speak for others. It was a very dear bargain as it

was—I mean, the citizens building a State House and furnishing it free. I thought it enough without giving any \$200,000 beside.

Q. Look at this subscription paper [marked “E.”] and answer if the subscribers were responsible at the time?

A. I suppose they could all have paid their subscriptions at that time, as proposed, in property, at the current prices then, though it would have taken about all some had.

Q. Is not that subscription extravagant, and would it not have been ruinous to some of the parties to have paid their subscriptions?

A. It would on some. I have heard some say that it would have been ruinous, or would have almost broken some, if they had had to pay it at fair prices.

CROSS EXAMINATION.

Q. Do you not own about 400 acres of land a short distance north of Capitol Square?

A. I own 180 acres adjoining the corporation, about three-fourths of a mile from Capitol Square.

Q. Did you not assert the other day to several persons that you had not signed a subscription?

A. I did. As I said, I had forgotten it. At the time of the location I had much more property on the west side than on the east side of the river, and I still have.

A. Did you sign that subscription in good faith, or for the purpose of working a fraud upon the Commissioners and upon the community?

A. I can't recollect the signing of it. I supposed it was all got up for “bunkum.” I can't say what was my intention in signing. I have forgotten what was my intention. My impression was and still is, that it was all got up for “bunkum.”

Q. Since you cannot recollect of signing that paper, and can't recollect what your intention was in signing it—a matter in which you have and had such a personal interest—how then can you recollect that it is your impression that the subscription was got up for “bunkum?”

A. I can recollect of hearing it talked of at the time as for “bunkum.” I know that I had refused to sign it several times, and supposed I had not.

Q. Point out what man or men were not able to pay, upon that subscription.

A. Barlow Granger for one I do not think was able to pay his subscription of \$2,000. J. C. Jones, for another, for \$6,000.

Q. Was not Granger an agent for Bird of Missouri, and has he not acted as agent in selling and deeding property?

A. He was, but not as late as that I think.

W. W. Williamson, being duly sworn, testified as follows :

Q. Were you a resident of Fort Des Moines at the time of the location of the Capitol?

A. I was.

Q. Did you know that this paper [marked "E."] was in circulation about the time of the location, and if so, what was the understanding of those who subscribed and circulated it about its being *bona fide*, and their being required to pay their subscriptions?

A. I saw the subscription after it was circulated somewhat, and my understanding was, at the time that I subscribed, that the Commissioners had agreed upon a location. I had this only from reports that I heard upon the streets, I think on Tuesday morning, and my recollection now is that at the time I subscribed that I did so under the belief that it would not be accepted, for the reason that I had heard that the Commissioners had located the Capitol on the east side. I think I circulated the subscription partly myself. My understanding was such, and I would not give the understanding of others who circulated it, as I have afore stated.

Q. When you circulated the paper and saw others circulate it, how was it represented to others in order to procure subscriptions?

A. I don't recollect of but one instance of any representations being made. There may have been representations in more than one particular case. Mr. Sypher and myself were together and presented the paper to Mr. Holcomb, and he remarked that he had already subscribed something to the State and did not wish to give anything more, and I recollect the reply was made to him that he need not hesitate to sign it for the reason that there was not much danger of his having to give it, or something to that effect. Sypher or myself, I think Sypher, made the reply.

Q. Was Sypher engaged in circulating the paper and getting subscribers?

A. My impression is that he was. It has been so long since I

cannot say that he circulated the paper only when he was with me.

Q. Look at the paper and see what the aggregate of yours, Sypher's and Holcomb's subscription is?

A. \$20,500.

Q. Was not that an extravagant subscription for the persons who subscribed, to make, taking into consideration their ability to pay at that time and since?

A. It was rather more than a great many of them could pay now. At the time the subscription was made, quite a number, at the price property was then, could pay. Upon looking over the subscription, I don't see any but that might have paid taking property at the price it was at that time.

CROSS EXAMINATION.

Q. Did you sign that paper in good faith and with the intent to pay in case the Capitol had been located on the west side of the river?

A. Had the location been made on the west side of the river after the subscription had been presented to the Commissioners, I presume I would have paid it.

Q. [By Mahoney.] Did you own property on the west side of the river at that time?

A. Yes.

Q. [By Mahoney.] Would it have been affected by the location on the west side?

A. It would, I suppose.

Q. [By Mahoney.] Were you influenced by that fact in subscribing?

A. In part, I was. I resided on the west side; for convenience to the Capitol I wished to have it there.

Q. To what extent had the subscription been circulated when you got it?

A. I took the subscription to Holcomb. I see that is the seventh name.

Q. How many names did you get to it?

A. I have no recollection.

Q. Can you name a single subscriber you got beside Holcomb? If so, name him.

A. Francis Grimmel, Jr., I got. I see that is the fourth from the last. I now recollect I went to hunt up Grimmel. I see his

name is signed in my hand writing. I think I got the subscription of George Sneer. I recollect no other names I got. I have no doubt I presented it to others.

Q. Do you wish to convey the idea that you got the names from the seventh from the first to the fourth from the last, on the subscription?

A. No, sir; I say no such thing.

W. H. McHenry, being duly sworn, testified as follows:

Q. Did you reside in Des Moines at the time of the location of the Capitol in 1856, and were you called upon to survey the ground upon which the Capitol is located, and other public grounds? if yea, state what time you were called upon, what time you made the survey, and what time you first heard the Capitol was located.

A. I did live here. I was called upon to survey the Capitol grounds. I can't be quite positive about the time. I think, on Monday the 21st of April, I was called upon to survey the Capitol grounds. From several circumstances I think it was on Monday the 21st. I am not quite sure whether I commenced the survey the day I was called upon or not. I did make the survey and I commenced either Monday afternoon or Tuesday forenoon, to the best of my recollection. I can't say exactly when I first heard of the location, but I heard it before I was called upon to make the survey.

Q. What grounds did you first survey, and how long did you continue in the employ of the Commissioners in making surveys?

A. The first survey was on Capitol Square. The next piece I surveyed, was one designated as "State Grounds," on Bausman's Map of Des Moines. The next was on the south side of Coon River. I was employed three or four days in all.

Q. Do you recollect making any appointment with Judge Crookham to meet him at Campbell's building to make a survey on the south side of Coon River?

A. I do.

Q. Did you do any surveying for Judge Crookham on his private account, or in any other way except as on the public grounds?

A. I never did.

Q. State if you did not have to make an extra survey of the

six-acre lot, east of the Capitol, on account of an objection by Crookham, respecting the quantity of land first surveyed.

A. I think the square was enlarged, and we had to survey a part of it a second time.

Q. How long have you been a resident of Des Moines, and what has been your occupation and opportunity of knowing the amount of real property held by persons on that subscription?

A. I have lived in Polk county nine years on the 13th day of last August. I have been engaged in various kinds of business, and have been operating as surveyor, more or less, all of the time, in the county. I have been Sheriff of this county. By association and surveying land for parties, I have had an opportunity of forming some idea of the amount of property owned by parties.

Q. Looking over the subscription do you not consider the amounts subscribed by some parties as extravagant, and beyond their means at the time and since to pay?

A. I think the subscriptions very extravagant for some,—others could pay it.

Benjamin Bryant, being duly sworn, testified as follows:—

Q. How long have you lived in the town of Des Moines?

A. I have resided in Polk county since May 6th, 1843.

Q. Were you in Fort Des Moines at the time of the location of the Capitol?

A. Yes.

Q. Did you see the subscription paper, marked "E," about the time the Capitol was located?

A. I don't know that I ever saw this thing as it is. I saw a subscription similar to this in character.

Q. Were these subscription papers circulated before or after reports said the Capitol was located?

A. Before and on the day the Capitol was located. After I knew the Capitol was located, subscriptions were around and I was asked to subscribe to them.

Q. Were these subscriptions circulated considered as "bunkum," or *bona fide*?

A. Those circulated before the location I considered as *bona fide*, and for the purpose of getting the Capitol on the west side of

river. Those after the location, I understood were for the purpose of showing that there could be a certain amount of money raised on the west side of the river.

Q. Were not the subscriptions raised before the location to be given to influence the Commissioners to locate the Capitol on the west side of the river?

A. The first one I don't know about. I think it was to see what amount could be raised. It was to be put into the hands of a Committee. Think it was spoken of, as to see what amount could be raised to build temporary buildings for the State.

Q. Look at the subscription paper, marked "E," and state if the subscriptions of many are not extravagant and beyond the ability of the subscribers at that time and since to pay?

A. Several I can mention, I think the subscriptions of, would be extravagant,—others would not.

The Committee then adjourned.

[Signed.]

S. SIBLEY, Clerk.

MARCH 10th, 1858.

The Committee met pursuant to call by the Chairman. The following witnesses were called by the Committee:

C. J. L. Foster, being duly sworn, testified as follows:

Q. State whether you had any conversation with Mr. Crookham concerning the location of the Capitol, and if so what that conversation was?

A. Mr. Crookham came into my room at the Grout House, one evening since his arrival here, some time last week. I commenced talking with him in a jovial, joking sort of a way, about the location of the Capitol. He went on to say that the location was about the best that could be made. He said he got here on Sunday night, when he came to locate the Capitol, and found the people here in a great contest about the location. The people on the west side came over and presented a subscription of a large amount, if they would locate the Capitol over there on the west side. On Monday he said they went over on the west side and looked around and examined the location offered. He, Crookham, took a bond for ten acres of land, I think he said for the location of the Capitol, or State University upon. He said the proposition from the west

side was received in the forenoon of Monday, and they went over to examine the west side in the afternoon. On Tuesday, he said, we looked on the east side. The subscription from the west side they received on Monday, and made the location on Tuesday.— This he repeated upon my question. He said he rode around on the east side, and on returning said to the other Commissioners that he had made a location, and it was upon the hill, where it now is, and the other Commissioners said they agreed with him as to the location. He, Crookham, was Secretary of the Board of Commissioners, and they passed a resolution on Tuesday afternoon to locate the Capitol on its present site. He said he had all the proceedings of the Board at his office. I asked why he did not bring them up. He said he did not consider it of enough consequence, or something to that effect. He, Crookham, thought it was the best location that could be made, and it was none of their business how many lots they got. He, Crookham, seemed quite indignant that they should have called up this investigation.

Joseph Grimes, being duly sworn, testified as follows:

Q. [By the Chairman.] State whether you heard any conversation by Mr. Crookham about the location of the Capitol, and if so, what he, Crookham, said.

A. I heard Crookham speaking about the location at the Grout House, some time from the first to the fifth instant, one evening. He, Crookham, said he came here to locate the Capitol on Sunday night. The Commissioners had a proposition from the other side. They, the Commissioners, went on the other side to look on Monday. My impression is that he said the bond he got there was for ten acres on the other side of the forks on the hill, and was for some of the Institutions. He said they received the propositions, which was a subscription of a considerable amount and I don't remember what,—from the west side on Monday, and they went over and looked at the location offered after they received the proposition. The day after they went over on the west side, he said they located the Capitol here on the east side. He said that at night after the location was made some of them from the west side came over to see about it, late at night; but they told them it was too late. He, Crookham, went on to say that it was none of their business how much they got or how much money they received. This

conversation was voluntary on the part of Mr. Crookham. He commenced talking about it, and directed his conversation mainly to Mr. Foster. This occurred last week, sometime about the first part or middle of the week.

The Committee then adjourned.

[Signed]

S. SIBLEY, Clerk.

[A]

COPY OF THE SUBSCRIPTIONS ON THE WEST SIDE
OF THE RIVER.

We, the undersigned, severally promise and agree to donate to the State of Iowa, Real Estate, to be appraised by disinterested persons, to the value of the several sums set against our respective names, *Provided*, The Commissioners appointed for the re-location of the State Capitol, locate the same in the forks of the Des Moines and Raccoon Rivers.

Fort Des Moines, Iowa, April 22d, 1856.

P. M. Casady,.....	\$5,000	R. W. Sypher,.....	\$10,000
S. Y. Keene,.....	5,000	Jonathan Lyon,.....	*15,000
L. P. Sherman,.....	300	James Campbell,.....	5,000
W. H. Hervey,.....	1,000	Lovell White,.....	3,000
Ira Cook,.....	4,000	F. R. West,.....	10,000
F. C. Grimmel,.....	10,000	Wm. F. Ayres,.....	5,000
R. Holcomb,.....	10,000	Thos. McMullen,.....	5,000
E. R. Clapp,.....	500	J. C. Jones,.....	6,000
J. D. Davis,.....	1,000	J. S. Dicks,.....	500
J. Lewis,.....	1,000	W. W. Moore,.....	500
H. Stephenson,.....	300	H. M. Hoxie,.....	1,000
H. R. Lovejoy,.....	300	Hoyt Sherman,.....	3,000
L. T. Filson,.....	1,000	J. E. Jewett,.....	2,000
William Busick,.....	500	B. Rice,.....	500
B. F. Allen,.....	2,000	D. P. W. Day,.....	2,000
J. W. Bradshaw,.....	1,000	R. L. Tidrick,.....	1,000
Edwin Hall,.....	2,000	H. C. Grimmel,.....	400
And. J. Stevens,.....	2,000	D. O. Finch,.....	500
G. Holland,.....	5,000	W. W. Williamson,.....	500
W. C. Burton,.....	3,000	James Crane,.....	500
Francis Grimmel, Jr.,...	1,000	James Sherman,.....	500
George Sneer,.....	1,000		
	\$56,900		
	71,900		
	\$128,800		

[B.]

COPY OF NOTICE SERVED UPON THE COMMISSION-
ERS BY PEOPLE OF WEST SIDE.

FT. DES MOINES, April 22, 1856.

To the Board of Commissioners, appointed by his Honor, J. W. Grimes, for the re-location of the Seat of Government of the State of Iowa:

You are hereby notified that the citizens of the town of Ft. Des Moines will on to-morrow morning offer, through you, to the State of Iowa, ten acres of land, in an eligible situation and in a suitable place, and within the territory fixed by law for said location, and two hundred thousand dollars if said location shall be made on the West side of the Des Moines river and within the Raccoon forks.

J. E. JEWETT.

[C.]

COPY OF THE SECOND SUBSCRIPTION PAPER.

We the undersigned severally promise and agree to donate to the State of Iowa, Real Estate, to be appraised by disinterested persons to the amount of the several sums set against our respective names, *Provided*, the Commissioners to re-locate the State Capitol, do locate the same in the forks of the Des Moines and Raccoon rivers:

John Mumma,.....\$500
 Barlow Granger, for Bird, 2,000
 Wesley Redhead,.....1,000
 Milton Scott,.....1,000
 C. H. & W. A. Poindexter, 5,000
 Wm. M. Baker,.....1,000
 C. W. Vanhorn,.....400
 Martin Winters,.....600
 Thomas Boyd,.....300
 A. Newton,.....1,000
 Laird Brothers,.....500
 John Yost,.....1,000
 Casper Hibbard,.....1,000
 J. S. Cook,.....500
 G. W. Cleveland & Co.,..500
 John W. Penny,.....500
 Warner & Spofford,.....500
 John W. Jones,.....500

 \$17,800

Bro't up,

12,750

 \$30,450

Leas & Harsh,.....\$500
 Thompson Bird,.....5,000
 H. R. Lovejoy,.....200
 B. Bryant,.....500
 James Stanton,.....200
 F. Palmer,.....500
 J. M. Reichsucker,.....200
 R. W. Concklin,.....200
 J. A. Nash,.....500
 William P. Davis,.....1,000
 H. L. Whitman,.....2,000
 John Kirby,.....200
 A. S. Kingman,.....200
 David Norris,.....500
 John H. Story,.....500
 John Tyler,.....300
 A. Hepburn,.....150

 \$12,650

[D.]

STATEMENT OF TWO COMMISSIONERS TO THE COMMITTEE OF INVESTIGATION.

The undersigned, late Commissioners to re-locate the Capitol of the State of Iowa, being charged with the other Commissioners with fraud, corruption and bribery in their acts in fixing the location as now fixed by law, beg leave to present to the Committee of Investigation the following statement:

That at the time the location was made all of the Commissioners were present, and made the examination that they deemed necessary in order to come to a correct opinion in regard to the proper place to locate the Capitol. They waited upon citizens and examined different donations proposed to be made. That after consultation the Commissioners were unanimously of opinion that the location made was for the best interest of the State. It is unnecessary to state all the reasons and causes that were taken into consideration in forming their judgment.

After the Commissioners had acted and decided, the citizens, or some of them, residing on the West side of the river, made some propositions that had not been previously made, and which were not considered by the Commissioners.

The undersigned deny that they or either of them, or any other of the Commissioners, to their knowledge, acted under the influence of any gift or bribe made by any person whatsoever, but on the contrary they decided upon the question presented to them according to their honest convictions and best judgment.

The undersigned deny in the most emphatic manner each and all of the allegations and charges so unjustly presented by the memorialists.

[Signed.]

**GUY WELLS,
STEWART GOODRELL.**

6

[F.]

SPECIFIC CHARGES.

STATE OF IOWA, }
 City of Des Moines, } ss.
Before Committee of the House of Representatives appointed to investigate charges of fraud on the part of the Commissioners in locating the Capitol:

The memorialists in this case offer to prove and expect to prove:

That the several Commissioners appointed pursuant to the provisions of an act of the General Assembly of the State of Iowa, approved January 25th, 1855, entitled "An Act to re-locate the Seat of Government," in making the location of the Seat of Government did not perform said duty with a strict regard to the interests of the entire State:" but did proceed to locate and establish the said Seat of Government at the point where the inhabitants and proprietors of the land did offer to and did pay said Commissioners the largest personal bribe or bonus for locating the same.

That notwithstanding the people and citizens residing on the west side of the Des Moines river and within the limits provided in the said act for the location of the same, offered to donate to the State sufficient lands for public use, and to make the State a donation of lands to the amount of two hundred thousand dollars or thereabout besides, to have the Seat of Government located on that side of the river, the Commissioners did locate the same on the east side of the river without any donation of lands to the State, other than for public buildings, (or without any donation amounting to any considerable sum,) and did receive in consideration of said location sums in land and money amounting to from seven to ten thousand dollars to each of said Commissioners—all of which took place and occurred in the spring of 1856.

That while the question of making said location, to wit in the spring of 1856, was before said Commissioners and pending, they or a majority of them suffered themselves to be and were improperly influenced in their decision, and were induced to make and did make their said location for the promotion of private and personal ends, and not with a "strict regard to the interests of the entire State," as required by law; and being so influenced and improperly induced, the said location was made by them against the true interests of the State, and without regard to the same.

[Signed.]

W. C. BURTON,
 THOS. McMULLIN,
 A. N. MARSH,
 J. S. COOK,
 JAMES CRANE,
 JAS. SHERMAN,
 H. M. BUSH,
 H. K. LOVEJOY,
 F. C. GRIMMEL.

[G.]

REASONS OF THE MEMORIALISTS FOR URGING A FULL INVESTIGATION.

In the matter of the memorial for an investigation of frauds and undue influence in the location of the State Capitol under the Act of 1855:

It is held by the Memorialists as follows:

They appear as citizens of the State, and claim that the investigation should be had because

First—It is due to the dignity of the State, which, if their charges are true, has been grievously outraged.

Second—If there was no other purpose, the Legislature has the right to the information to enable them better to guard against such frauds in future legislation.

Third—The State has the right, and is impelled by duty, to ferret out all wrongs and frauds committed by her agents against her dignity and her interests in order to evince alike her condemnation of such conduct, and her determination that no such action will be permitted to remain hidden and undiscovered.

Fourth—But further than this, the act of the 25th of January, 1855, charged these Commissioners with certain duties, among which was that of locating the Capitol within a certain district for the best interests of the State, in the language of the act, thus:—“that in making said re-location they will have strict regard to the interests of the entire State.” [§ 3.]

“It shall be their duty in making said re-location, to obtain at least as much land as is necessary for the Capitol buildings, and may be practicable to obtain without charge to the State, and also any and all grants and donations of land and town-lots within their power to the State.”

It is therefore a right and a duty of the Legislature to inquire, upon information given them, whether these functions have been honestly performed by the Commissioners.

Fifth—Especially is it a right and duty to ascertain whether they did so obtain all grants and donations in their power to the State; because if they obtained them for themselves, instead of the State, they would be chargeable in a Court of Equity, as trustees of the State, with every foot of land given to them individually, in consideration of their official action, and could be compelled to account to the State therefor, or for its proceeds in case of sale.

Sixth—They have a further right to ascertain the question of fraud in the re-location, in order that, if the State is dissatisfied with the ten acres selected, and prefers another lot for the permanent Capitol, they may feel at entire liberty to do so without feeling any apprehension of inequity towards the persons who so donated this land to the State; and also, by ascertaining what offers were made then to the Commissioners of much larger grants of land, to the far greater benefit of the State, to judge on the one hand of the bad faith of the Commissioners, and the other of the propriety of yet accepting those offers, if still open to the State.

Seventh—In addition to the foregoing the Memorialists contend that the Constitution does not provide for the site of a building, but for a municipal district containing the Seat of Government, and that anywhere within this municipal district the site of the Capitol, the building is within the power of the Legislature: and that neither Governor, nor prior Legislature, nor Convention, nor the people, can by any possibility be considered as having ratified the fraud, if any. Fraud, and undiscovered fraud especially, is never ratified by any department of government, though it may be overlooked.

MEMORIAL FOR THE INVESTIGATION.

*To the Honorable, the Speaker of the House of Representatives
of the Legislature of the State of Iowa:*

Your Memorialists, citizens of Polk county in said State, would respectfully represent, that they have good and sufficient reason to believe, that in the location of the Capitol at Des Moines under the Act entitled An Act "to re-locate the Seat of Government," the Commissioners appointed for the purpose of selecting a suitable location, did not in accordance with the provisions of the said act, and their oaths of office, faithfully and impartially discharge their several duties, and further that we are fully satisfied that in the present location the aforesaid Commissioners did not act for the best interests of the State as prescribed in said act.

Your Memorialists would further represent that we believe and are satisfied that we can show fraud and corruption on the part of the Commissioners and others sufficient to cause this Legislature to set aside the acts of the Commissioners. We would therefore respectfully urge upon your honorable body the importance of appointing a Committee, fully empowered to send for persons and papers, and enter into a full and impartial investigation of all matters pertaining to the re-location of the Capitol.

J. S. Cook,	C. C. Howell,	John S. Smith,
John L. Smith,	J. C. Lovejoy,	H. C. Grimmei,
Wm. Baker,	J. F. Kemp,	C. Lehman,
John Tyler,	D. P. W. Day,	E. R. Sanford,
D. P. Kenyon,	W. C. Burton,	David Norris,
H. M. Bush,	J. D. Davis,	P. M. Scott,
A. Newman,	A. N. Marsh,	W. W. Moore,
J. A. Woods,	Samuel Gruell,	George Green,
Wm. McClelland, Jr.	Wm. Phillips,	R. W. Concklin,
Chas. Wietz,	James Crane,	R. W. Sypher,
Joseph Rogg,	James Sherman,	S. McCain,
John Johns,	J. S. Dicks,	John H. Thode,
F. W. Chaffee,	C. P. Luce,	E. R. Clapp,
H. R. Lovejoy,	L. T. Filson,	R. Holcombe,
Greenup Scott,	G. W. Dunkle,	I. J. Harrod,
Wm. Allen,	D. Harris,	H. Stephenson,
J. A. McConahay,	John H. Given,	Francis C. Grimmel,
F. C. Grimmel, Jr.,	D. D. Skinner,	Johnathan Lyon.
Jacob Lehman,	C. W. Vanhorn,	

REVENUE LAWS

ADOPTED BY THE

SEVENTH GENERAL ASSEMBLY OF THE STATE OF IOWA.

J. THESDALE, State Printer, Citizen Office, Des Moines, Iowa.

REVENUE LAWS.

CHAPTER 90.

AN ACT to legalize the assessment of Taxes made in the several Counties of this State in the years 1855, 1856 and 1857.

WHEREAS, the County Assessors of several counties in this State, failed to complete their assessment of property in their respective counties and return their assessment book to the office of the County Judge of such counties, by the first day of July, A. D. 1857, as they were required to do by the provisions of an act entitled an act in relation to the assessment of property, approved January 28, 1857, and whereas, the said assessors in many instances appointed deputies to aid them in making said assessments; and whereas, in consequence of the said "assessment book" not being returned by the time required by law, and the County Judges having failed to hold a session for the correction of errors at the time fixed by law, the board of equalization failed to meet at the time appointed by law and equalize the assessments; and whereas, the County Judge has in certain instances failed to place his warrant upon the tax book and order the treasurer to collect the taxes so levied; and whereas, portions of certain counties were unequally assessed by the assessor or deputy of said county, and the board of equalization having failed to equalize the same at their session, and the County Judge subsequently ordered such as was assessed too low to be raised; and whereas, other errors and illegalities are said to exist in relation to the assessment and collection of taxes for the year 1857, which cannot be herein pointed out and referred to, therefore,

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the taxes levied for the year A. D. 1857, in the several counties in this State shall not by reason of the several officers

failing to do the acts herein recited at the time required by law, be held void, nor shall the same be held void by reason of any failure of said officers in and about the assessment, equalization, collection or other matter connected therewith, but the taxes assessed during the year 1857, shall in all instances be held legal and binding, and the proper officers are authorized to collect the same as though no informalities even existed.

§ 2. That in all cases wherein the assessment books were not returned by the assessor in season for the abstract required by section fifteen of said act, if transmitted to reach the Auditor of State in time for action to be had thereon, and in all cases wherein said clerk used due diligence in transmitting the said abstract after receiving the assessment books, the said clerk shall not be liable under the provisions of section eighteen of said act so far as the same relates to the transmission of said abstracts.

§ 3. The County Judge of every county in this State wherein no assessment was made for the year 1857, is hereby authorized to appoint an assessor, who shall assess the property, taxable for said year, in every respect as the same should have been made, and the taxes shall be collected thereon, in all respects as now provided by law.

§ 4. This act shall take effect and be in force from and after its publication in the Iowa Citizen and Iowa State Journal.

STEPHEN B. SHELEDY;

Speaker of the House of Representatives.

ORAN FAVILLE,

President of the Senate.

Approved March 22d, 1858. }

RALPH P. LOWE. }

I hereby certify that the foregoing act was published in the Iowa State Journal March 27th, 1858, and in the Iowa Weekly Citizen March 31st, 1858.

ELIJAH SELLS,
Secretary of State.

I hereby certify that the foregoing is a true copy from the original roll on file in my office.

ELIJAH SELLS, Secretary of State.

CHAPTER 111.

AN ACT to provide for the equalization of the assessment of real estate for the year A. D. 1857.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That the several county boards for the equalization of

the assessment roll as now constituted by law, shall have a session of said board in their several counties on the second Monday in May A. D. 1858, at which session they shall proceed to equalize the assessment of real property in their respective counties, and may add to or deduct from the aggregate assessment of the whole county, for the year 1857; and in doing so they shall take into consideration the relative depreciation of the several descriptions of real property in their several counties, since said assessment and valuation was made.

SEC. 2. Each county clerk shall immediately after the assessment of said board, make out and transmit by mail, or otherwise, to the Auditor of State, an abstract of the real property in the county, as required by section fifteen of "an act in relation to the assessment of property," approved January 28th, 1857, and also transmit therewith a statement of the doings of the county board of equalization of this county.

§ 3. The State board of equalization, as now constituted by law, shall hold a session on the first Monday in July, 1858, at which they shall perform the duties required of them by sections sixteen and seventeen of the act aforesaid, and immediately after their work is performed, the Auditor of State shall transmit statements of their doings as required by said section seventeen of said act.

§ 4. Any county clerk who shall neglect or refuse to perform the duties herein required, shall be deemed guilty and liable, as provided by section eighteen of said "act in relation to the assessment of property."

§ 5. This act to take effect from and after its publication in the Iowa Weekly Citizen and the Iowa State Journal.

STEPHEN B. SHELLDY,
Speaker of the House of Representatives.

ORAN FAVILLE,
President of the Senate.

Approved March 22d, 1858. }
RALPH P. LOWE. }

I hereby certify that the foregoing is a true copy from the original roll on file in my office.

ELIJAH SELLS, Secretary of State

CHAPTER 152.

AN ACT in relation to Revenues.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa,* That each county board of equalization shall annually as hereinafter provided levy the following taxes upon the assessed value of the taxable property in the county. For State revenue three mills on a dollar when no rate is directed by the census board. For ordinary county revenue including the support of the poor, not more than six mills on a dollar, and a poll tax of fifty cents. For support of schools not less than one nor more than two and a half mills on a dollar. For making and repairing bridges not more than one mill on the dollar whenever such tax is established by a vote of the people of the county upon the question being submitted to them according to law.

§ 2. The following classes of property are not to be taxed and they may be omitted from the assessments herein required. The property of the United States and that of the State including the University, Agricultural College, and School Lands, and including all property leased to the State during the existing of such lease; the property of a county, township, incorporated town, or school district when devoted to the public use and not held for pecuniary profit. Public grounds by whomsoever devoted to the public including all places for the burial of the dead. Fire engines and implements used for extinguishing fires, with the ground used exclusively for their buildings and for the meetings of the fire companies. All grounds and buildings of literary or scientific institutions incorporated under the laws of this State, also the grounds and building of benevolent, agricultural and religious institutions or societies devoted solely to the appropriate objects of these institutions, not exceeding forty acres in extent and not leased or otherwise used with a view of pecuniary profit.

6th. The books and papers furnished, and apparatus pertaining to the above institutions and used solely for the purpose above contemplated, and the like property of students in any such institutions used for their education.

7th. Money and credits belonging exclusively to such institutions, and devoted solely to sustaining them but not exceeding in amount or income the sum prescribed by their charter.

8th. Animals not specified in the next section, the wool shorn

from sheep of the person giving the list, and his farm produce harvested for one year previous to the listing, private libraries not exceeding one hundred dollars in value, and family pictures, the libraries of the clergymen, the kitchen furniture of each family, the beds and bedding requisite for each family, one bed and the bedding thereof for each single person not a member of another family, the apparel of every family and person actually used for wearing, with all food provided for each family; but no person from whom a compensation for board or lodging is received or expected is to be considered a member of a family within the intent of a clause.

9th. The polls or estates, or both of persons, who by reason of age or infirmity may in the judgment of the Assessor be unable to contribute to the public revenue, such opinion being subject to reversal by the county court.

10th. Mutual Insurance Companies.

11th. The farming utensils of any person who makes his livelihood by farming, the tools of any mechanic, not in either case to exceed one hundred dollars in value.

SEC. 3. All property real and personal within the State is subject to taxation in the manner directed, and this section is intended to embrace lands and lots in towns including lands bought from the United States and from this State, and whether bought on credit or otherwise. Ferry franchises and toll bridges which for the purposes of this act are considered as real property. Horses and neat cattle, mules and asses, sheep and swine, money whether in possession or on deposit and including bank bills, money, property or labor due from solvent debtors on contract or on judgment, mortgages and other like securities, and accounts bearing interest, property situated in this State belonging to any bank or company incorporated or otherwise, and whether incorporated by this or any other State, public stocks or loans, household furniture, including gold and silver plate, musical instruments, watches and jewelry, private libraries for over their value one hundred dollars, carriages, stages, hacks, wagons, carts, drays, sleighs, and sleds and every description of vehicle, farming utensils, machines and machinery, and mechanics tools for their aggregate value over one hundred dollars, boats and vessels of every description wherever registered or licensed, and whether navigating the waters of this State or not, if owned either wholly or in part by persons who are

inhabitants of this State to the amount owned in this State. Annuities but not including pensions from the United States or any of them nor salaries or payments expected for services to be rendered.

SEC. 4. Every inhabitant of this State of full age, and sound mind shall assist the Assessor in listing all property subject to taxation in this State of which he is the owner or has the control or management in the manner hereinafter directed, the property of a ward is to be listed by his guardian, of a minor having no other guardian, by his father if living, if not, then by his mother if living, and if not, then by the persons having the property in charge; of a married woman, by herself or her husband; of a beneficiary for whom property is held in trust by the trustee, and the personal property of a decedent by the executor; of a body corporate company or society or partnership by its principal accounting officer, agent or partner. Property under mortgage or lease is to be listed by and taxed to the mortgagor or lessor unless it be listed by the mortgagee or lessee.

SEC. 5. Commission merchants and all persons trading and dealing on commission, and assignees authorized to sell when the owner of the goods does not reside in the county, are for the purposes of taxation to be deemed the owners of the property in their possession.

SEC. 6. Any person required to list property belonging to another shall list it in the same county in which he would be required to if it were his own, (except as herein otherwise directed) but he shall list it separately from his own, giving to the Assessor the name of the person or estate to whom it belongs, but the undivided property of a person deceased belonging to his heirs may be listed as belonging to his heirs without enumerating them.

SEC. 7. The property of corporations or companies constructing canals, railways, plank roads, graded roads, turnpike roads, and similar improvements shall be taxed through the shares of the stockholders, and when any such stockholders are non-residents their interest shall be taxed in the county in which is situated their principal business office within this State, and to that end the Assessor shall require the Secretary or Clerk or whatever officer of corresponding duties there may be to render under oath a list of the names and residences of such non-resident stockholders, with the number of shares of each and both, the par value and the market value of such stock, but if such Secretary or other correspond-

ing officer do not reside in this State, the Assessor may require the same of any officer residing in the State, and if such officer refuse, the shares of non-residents shall be assessed to the company or corporation, and may be ascertained in the best manner within the power of the Assessor.

SEC. 8. In the cases specified in the preceding section, the county receiving the tax upon the property of non-resident stockholders as therein specified, shall distribute and pay over to the several counties in which any part of such improvement shall be situated in February in each year their share of said tax, dividing the same in proportion to the portion of such improvements situated in the several counties.

SEC. 9. When a person is doing business in more than one county, the property and credits existing in any one of the counties shall be listed and taxed in that county, and the credits not existing in or pertaining especially to the business in any one county, shall be listed and taxed in that where the principal place of business may be. Any individual of a partnership is liable for the taxes due from the firm.

SEC. 10. Insurance Companies of every description, (except Mutual Insurance Companies) existing in other states and operating in this, shall be taxed one per cent for county purposes, and one per cent for State purposes upon the amount of the premiums taken by them during the year previous to the listing in the county where the agent conducts that business; and the agent shall render the list and shall be personally liable for the tax, and if he refuses to render the list or to swear as herein required, the amount may be assessed according to the best knowledge and discretion of the Assessor.

SEC. 11. All persons property shall be listed, assessed and taxed in the name of the owner thereof on the first day of January of the then current year, and each owner shall be required to pay taxes thereon, but if the owner resides out of the county it shall be listed by the agent or person having charge of the same.

SEC. 12. All taxable property shall be taxed each year, and personal property shall be listed and assessed each year; real property shall be listed and valued in the year 1859, and each second year thereafter, and shall be assessed at its true value in money, at private sale, having regard to its quality, location, natural advantages, the general improvement in the vicinity, and all other

elements of its value in each year in which real estate is not regularly assessed; it shall be the duty of the Assessor to list and value any real property not included in the previous assessment.

SEC. 13. Depreciated bank notes and corporations or companies may be assessed at their current value or rate, credits shall be listed at such sum as the person listing them believes will be received or can be collected, and annuities at the value which the person listing believes them to be worth in money.

SEC. 14. In making up the amount of money and credits which any person is required to list or have listed and assessed, he will be entitled to deduct from the gross amount all bona fide debts owing by him, but no acknowledgment of indebtedness not founded on actual consideration, and no such acknowledgment made for the purpose of being so deducted shall be considered a debt within the intent of this section, and so much only of any liability of such person as security for another shall be deducted as the person making the list believes he is equitably or legally bound to pay, and so much only as he believes he will be compelled to pay on account of the inability of the principal debtor, and if there are other sureties to able contribute, then so much only as he in whose name the list is made will be bound to contribute; but no person will be entitled to any deduction on account of any obligation of any kind given to any Insurance Company for the premiums of insurance, nor on account of any unpaid subscription to any institution, society, corporation or company.

SEC. 15. Any person owing or having in his possession or under his control within this State, with authority to sell the same, any personal property purchased either in, or out of this State with a view of its being sold at an advanced price or profit, or which has been consigned to him from any place out of this State for the purpose of being sold within the same, shall be held to be a merchant for the purpose of this act; such property shall be listed for taxation, and in estimating the value thereof, the merchant shall take the average value of such property in his possession or under his control during the next year previous to the time of assessing, and if he has not been engaged in the business so long, then he shall take the average during such time as he shall have been so engaged, and if he be commencing he shall take the value of the property at the time of assessment.

SEC. 16. Any person who purchases, receives or holds personal

property of any description for the purpose of adding to the value thereof by any process of manufacturing, refining, purifying, or by the combination of different materials with the view of making gain or profit by so doing and by selling the same shall be held to be a manufacturer for the purposes of this act, and he shall list for taxation the average value of such property in his hands estimated as directed in the preceeding section, but the value shall be estimated upon the materials only entering into the combination or manufacture.

SEC. 17. That there shall be selected at the general election in each year by the qualified voters of each township in this State, one township Assessor who shall hold his office for one year and until his successor is elected and qualified.

SEC. 18. Each Assessor before entering upon the duties of his office shall give bond with two or more sureties to the approval of the township trustees, or in counties not organized into townships, of the county Judge in the sum of five hundred dollars payable to said trustees or county Judge, conditioned for the faithful and impartial discharge of the duties of his office, which bond shall be filed and preserved by the township Clerk or county Judge.

SEC. 19. If any assesor shall fail to give the bond and surety as required in the preceding section, or shall fail to take the oath of office as required by the Constitution on or before the first Monday of January following his election, the office shall be considered vacant, and in all cases of vacaucies in such office, the trustees or county Judge as the case may be shall appoint some suitable person to fill the vacancy, which appointee shall hold said office until the next succeeding election, and until his successor is elected and qualified.

SEC. 20. Any person elected or appointed an assesor as herein provided, shall take and subscribe on his bond an oath as required by the Constitution of the State of Iowa, and in substance the same as the condition of his bond.

SEC. 21. Suit may be instituted against the assesor on his bond in the name of any person injured for any neglect or failure on his part to properly discharge the duties of his office before any tribunal having jurisdiction of the same, and in such suit the sureties shall be made parties defendant, and judgment may be rendered against them with the principal.

SEC. 22. The assesor shall be allowed two dollars for each day

he shall have been faithfully and necessarily employed in discharge of the duties of his office, to be paid out of the county treasury.

SEC. 23. The several assessors in each county shall meet at the office of the county Judge of their county on the second Monday of January of each year, and classify the several descriptions of property to be assessed for the purpose of equalization of such assessment.

SEC. 24. On or before the second Monday of January in each year, the county Judge shall furnish each assessor in his county with suitable books in duplicate, properly ruled and headed, in which to enter the following items:—

1st. The name of the individual, corporation, company, society, partnership or firm to whom any property shall be taxable.

2d. His or their lands by township, ranges, section or part of section, and when such part is not a congressional division or subdivision, some other description sufficient to identify it, and town lots, naming the town in which they are situated, and their proper description by number and block or otherwise according to the system of numbering in the town.

3d. Personal property in the following particulars, number of neat cattle, number of horses, number of mules, number of sheep, number of swine, number of carriages and vehicles of every description, with a separate column for the value of each; amount of capital employed in merchandise, amount of capital employed in manufacture, amount of money and credits, amount of taxable household furniture, amount of stock or shares in any corporation or company not required by law to be otherwise listed and taxed, amount of taxable farming utensils or mechanics tools, amount of all other personal property not enumerated, and the number of polls and a column for remarks.

SEC. 25. Each assessor shall enter upon the discharge of the duties of his office within six days after the second Monday of January in each year, and shall with the assistance of each person assessed, or who may be required by law to list property belonging to another, enter in the books furnished him for that purpose the several items specified in the preceding section; entering the names of the persons assessed in alphabetical order so far as practicable by allotting to each letter its requisite number of pages in each said book. He shall also be furnished with a suitable plat of his township on which to check the several parcels of land, and each

town or city lot by him assessed to avoid omissions or double assessments.

SEC. 26. It shall be the duty of the assessor to list each and every person in his township, and to assess all the property, personal and real therein, and any person who shall refuse to assist in making out a list of his property, or of any property which he is required by law to assist in listing or refuse to make the oath of affirmation required by this act, shall forfeit the sum of five dollars, to be recovered in the name of the county for the use of the common schools therein.

§ 27. The assessor is hereby authorized, and it is made his duty to administer an oath of affirmation to each person assessed to the effect that he has given in a full, true and correct inventory of all the taxable property owned by him, and all such property as may be held by him as agent, guardian or otherwise, and which he is required by law to list, and in case any one refuse to make such oath or affirmation, the assessor shall note the fact in the column of remarks opposite such persons name; and should it afterwards appear that such person so refusing has not given a full list of his property, or that under his control, and which he was by law required to list any property so omitted, shall be entered on the book at double its ordinary assessable value, and taxed accordingly.

§ 28. Each assessor shall on or before the first Monday of April in each year, return one of the assessment books of his township to the office of the county Judge, with the several columns of numbers and values correctly footed up, and the amount of personal property of each person carried forward into a column under the head of total personal property, and the other book he shall on or before the first day of April of each year, deliver to the township clerk of his township to be used by the trustees of the township as the township tax book, for the levy of taxes for township revenue and road purposes.

§ 29. Any person may list or have listed by the assessor for his township, all the real property owned by him, or for which he has the agency, situated in the county, but such as is without the limits of his township, shall be listed on a sheet separate from the township assessment list, which shall be returned by the assessor so taking it, to the assessor of the township in which the realty is located, who shall enter the same upon the list or book for his township, and assess the value thereof; and for the purpose of making

returns above specified, and completing the several township assessment books, the several assessors are required to meet at the county seat on the last Saturday of March in each year.

§ 30. When the name of the owner of any real estate is unknown, and the assessor finds it impracticable to obtain the same, it shall be proper and lawful to assess such real estate without connecting therewith any name, but inscribing at the head of the page the word "Owners Unknown," and such property, whether lands or town lots, shall be listed as near as practicable in the order of the numbers thereof, and in assessing land no one description shall contain more than eighty acres.

§ 31. The county Judge, county Surveyor and county Treasurer of each county, shall constitute a board for the equalization of the assessment, and shall meet at the county seat on the first Monday of April in each year, and proceed to equalize the assessments of the several townships of the county substantially in the same manner as is required of the State Board of Equalization, to equalize among the several counties of the State, so far as applicable; and they shall add to said assessment any taxable property in the county not included in the assessment as returned by the assessors placing the same in the list of the proper township and assess the value thereof.

§ 32. Any person who may feel aggrieved at anything in the assessment of his property, may appear before the board of equalization either in person or by agent, at the time and place mentioned in the preceding section, and have the same corrected in such manner as to said board shall seem just and equitable.

§ 33. Each county Clerk shall on or before the first day of May in each year, wherein real property is assessed, make out and transmit to the Auditor of State by mail or otherwise, an abstract of the real property in his county in which he shall set forth:

1st. The number of acres of land in his county, and the aggregate value of the same, exclusive of town lots returned by the assessors, as corrected by the county board of equalization.

2d. The aggregate value of real property in each town in the county, returned by the assessor as corrected by the county board of equalization.

3d. The aggregate value of personal property in his county.

§ 34. The census board constitute the State board of equalization, and shall meet at the seat of Government on the first Mon-

day of June in each year, in which real property is assessed, and shall take an oath faithfully and impartially to discharge the duties of their office. The Auditor of State shall be ex-officio clerk of the board, and shall lay before it the abstracts transmitted to him by the county clerk as required by this act, and then the board shall proceed to equalize the valuation of real property among the several counties and towns in the State, in the following manner :

1st. They shall add to the aggregate valuation of real property of each county, which they shall believe to be valued below its proper valuation, such per centum in each case as will raise the same to its proper valuation.

2d. They shall deduct from the aggregate valuation of real property of each county, which they shall believe to be valued above its proper valuation, such per centum in each case as will reduce the same to its proper valuation.

3d. If they believe that right, and justice require the valuation of real property in any town or towns in any county, or of the real property of such county not in towns, to be raised or reduced without raising or reducing the other real property of said county, or without raising or reducing it in the same ratio, they may in every such case, add to or take from the valuation of the real estate in any one or more of such towns, or of real estate not in such towns, such per centum as they shall believe will raise or reduce the same to its proper valuation.

§ 35. Said board shall keep a full record of their proceedings, and when they shall have finished their business, the Auditor of State shall transmit to each county clerk a statement of the per centum to be added to, or deducted from the valuation of real property in his county, specifying the per centum to be added to or deducted from the valuation of the real property of each of the several towns, and of the real property not in towns, in case an equal per centum shall not be added to or deducted from each, and also the rate of State tax which is to be levied and collected, which shall not exceed three mills on the dollar. The county clerk shall add to, or deduct from the valuation of each tract or parcel of real property in his county, the required per centum on the same, and if the result shall in any case show a fraction of a dollar, such fraction, if less than fifty cents, shall be registered, and if fifty cents or over, shall be counted as one dollar.

§ 36. If any county clerk shall neglect or refuse to transmit to

the Auditor of State, the abstract of the assessment of the real property in the county, or to add or deduct the per centum fixed by the State board of equalization, as required by this act, such county clerk shall be deemed guilty of an offense for which he shall be prosecuted by indictment in the district court, and if found guilty, shall be fined in any sum, not more than one thousand dollars, and shall also be liable to an action on his official bond to any injured person.

§ 37. The county Judge shall furnish to the clerk of each county a suitable book properly ruled and headed, with district columns in which to enter the names of tax payers, descriptions of lands, numbers of acres and value, number of town lots and value, and value of personal property, and each description of tax, also with two columns in which to note delinquencies, one for polls, and one for payments, into which book the clerk as soon as practicable after equalization as hereinbefore provided, shall transcribe from the assessment books of the several townships the names of tax payers, with the description of lands; no one description containing more than a quarter section, the number of acres and value, town lots, and value of personal property, provided that in the years in which real property is not listed and valued, the value and description shall be transcribed from the previous years tax book. He shall carefully compare the numbers thus transcribed, with the assessment returned, and also with the plats of the several townships to see that no lands are omitted or assessed twice, and in case of double assessment he shall reject all but the correct one, and shall insert any real estate in the county not included, and assess the value of the same. He shall add up the several columns of value, and the number of polls, and carry the amount forward, showing the total amount of taxable property, and the number of persons entitled to pay poll tax in the county. In making out said tax book, the property in each civil township shall be kept separate, and the names of the owners thereof arranged in alphabetical order.

§ 38. As soon as practicable after the summary required in the preceding section shall be completed, the board of equalization shall levy the requisite taxes for the current year, in accordance with law, and shall record the same in the proper book, and it shall be the duty of the county clerk as soon as practicable, to complete the tax list by carrying out in a column by itself the amount of each different tax, and after adding up each column he shall carry for-

ward the several amounts, showing a summary of the total amount of each district tax.

§ 39. The county clerk may correct any clerical or other error in the assessment or tax book, and when any such correction affecting the amount of tax, is made after the book shall have passed into the hands of the treasurer, he shall report to the county Judge, who shall charge the treasurer with all sums added to the several taxes, and credit him with all deductions therefrom.

§ 40. An entry shall be made upon the tax list showing what it is, and for what county and year it is, and the county Judge shall attach thereto a warrant under his hand and office seal in general terms, requiring the treasurer to collect the taxes therein levied according to law, and no informality in the above requirement, shall render any proceedings for the collection of taxes illegal. The county Judge shall cause the tax book to be delivered to the treasurer of the county by the first day of November, and his receipt taken thereof, and such list or book shall be full and sufficient authority for the collector to collect taxes therein contained.

§ 41. The treasurer on receiving the tax book for each year, shall enter upon the same in separate columns, opposite each parcel of real property or person's name, on which, or against whom any tax remains unpaid for either of the preceding years, the year or years for which such delinquent tax so remains due and unpaid.

§ 42. The treasurer after making the above entry shall proceed to collect the taxes, and the list and warrant shall be his authority and justification against any illegality in the proceedings prior to receiving the list; and he is required to attend at his office during the time intervening the receiving the tax book, and the 15th day of January following, and he is also authorized and required to collect so far as practicable the taxes remaining unpaid on the tax books of previous years.

§ 43. Auditors warrants shall be received by the county treasurer in full payment of State taxes, and county warrants shall be receivable at the treasury of the proper county for the ordinary county tax, but money only shall be receivable for the school tax. Road taxes may be discharged, and road certificates of work done received as provided by law.

§ 44. When a State or county warrant is received by the treasurer, he shall endorse on the face of it the amount for which it was received, and the date of reception, and from that date the warrant

shall be regarded as cancelled, and cannot be reissued, but when the warrant amounts to more than is to be paid by the person presenting it, the treasurer shall give him a certificate of the remainder due him as directed in chapter 18 of the Code relating to the treasurer.

§ 45. No demand of taxes shall be necessary, but it is the duty of every person subject to taxation to attend at the office of the treasurer (unless otherwise provided) at some time during the time mentioned in a previous section of this act, and pay his or her taxes, and if any one neglects to pay them before the fifteenth day of January following the levy of the tax, the treasurer is directed to make the same by distress and sale of his or her personal property, excepting such as is exempt from taxation, and the tax list alone shall be sufficient warrant for such distress.

§ 46. When the treasurer distrains goods, he may keep them at the expense of the owner, and shall give notice of the time and place of their sale within five days after the taking, in the manner constables are required to give notice of the sale of personal property under execution, and the time of sale shall not be more than twenty days from the day of the taking; but he may adjourn the sale from time to time not exceeding five days, and shall adjourn at least once when there are no bidders, and in case of an adjournment, he shall put up a notice thereof at the place of sale. Any surplus remaining above the taxes, charges of keeping, and fees for sale, shall be returned to the owner, and the treasurer shall on demand, render an account in writing of the sale and charges.

§ 47. If the treasurer be resisted or impeded in the execution of his office, he may require any suitable person to assist him therein, and if such person refuse the aid, he shall forfeit a sum not exceeding ten dollars, to be recovered by civil action in the name and to the use of the county, and the person resisting shall be liable as in the case of resisting the sheriff in the execution of civil process.

§ 48. On the fifteenth day of January, the unpaid taxes of whatever description for the preceding year, shall become delinquent and shall draw interest at the rate of twenty-five per centum per annum, and taxes upon real property are hereby made a perpetual lien thereupon against all persons except the United States and this State; and taxes due from any person upon personal property shall be a lien upon any real property owned by such person,

or to which he may acquire a title. The treasurer shall in no case sell real property for delinquent tax when personal property not exempt from taxation belonging to the individual can be found in the county, unless the owner shall in writing designate what piece of real property he prefers having sold rather than the personal property.

§ 49. The treasurer shall continue to receive payment of taxes after they have become delinquent, upon the above terms, until paid by distress and sale.

§ 50. Before the first day of September in each year, the treasurer shall offer at public sale at the court house in his county, all lands or other real property on which taxes of any description shall have been delinquent, and remain due and unpaid for a longer time than two years, and such sale shall be made for, or in payment of the total amount of taxes of the preceding three years due and unpaid on such real property ; such sale shall be valid if made after the day above named.

§ 51. The treasurer shall give notice of the sale of real property by publication thereof for four successive weeks in a newspaper in his county if there be one, to be designated by the county Judge, and by a notice posted on the door of the court house or building used therefor, for four weeks before the sale, and if there be no newspaper published in the county, the like notice shall be given by posting one notice in a public place in each civil township in which any land to be sold is situate, and one on the court house door ; such notice shall contain a description of the several parcels of property to be sold, the amount of tax, interest and charges against each parcel, and the names of the owners when known, or persons if any to whom taxed. The treasurer shall charge and collect thirty cents in addition to tax and interest on each parcel of real property so advertised for sale, which shall be applied to the payment of publication and other charges ; and the remainder, if any, shall go into the county treasury.

§ 52. Such sale shall take place between the hours of nine o'clock in the forenoon and five o'clock in the afternoon, and may be adjourned from day to day so long as there are bidders, or until the taxes are all paid.

§ 53. At September settlement with the county Judge, the treasurer shall file with the judge a return of the sale of real property, (retaining a copy on file in his office) showing the lands or the

property sold; the names of the owners so far as known, the names of purchasers, and the sums paid by them severally, and also a copy of the notice of the sale, with a certificate of the service verified by an affidavit, and such certificate shall be evidence.

§ 54. The person who offers to pay the amount of taxes due on any parcel of land for the smallest portion of the same is to be considered the purchaser, and when such portion constitutes a half or more of the parcel, it shall be taken from the east side thereof, dividing it by a line running north and south; except that town or city lots are to be divided in such case lengthwise by a line parallel with the proper lines of the lots. If the portion taken be less than one half of the tract, it is to be taken from the south east corner in a square form as nearly as the form of the land will conveniently permit. The preceding provisions of this section are subject to the following qualifications: the homestead is liable to be sold for no tax save that which is due on itself exclusively, and the above directions concerning the division of a tract of land shall be modified so as to meet this requirement; and to that end the quantity of land bid may be obtained by drawing the division line in any direction or form so as to avoid the homestead; and when the homestead constitutes part of the tract sold and is not yet ascertained, the court may, at the suggestion of either party cause a proceeding to be had similar to that required in relation to mechanic's liens for the ascertainment of the homestead, and in all cases of such sales it may take the requisite order and proceedings to ascertain the land sold, or to set it apart from the homestead.

§ 55. Should any person so bidding fail to pay the amount due, the treasurer may again offer the land for sale, if that sale has not closed, and if it has closed, he may again advertise it, specifying by one written notice posted for two weeks in the civil township in which the land lies, and one such notice on the court house; or the treasurer may recover the amount bid by civil action, brought in the name of the county in the township where the county seat is situated.

§ 56. The purchaser will be entitled to a deed for the land so purchased by him, upon the payment of the proper amount, which deed shall run in the name of the State of Iowa, and be signed and acknowledged by the treasurer in his official name, and shall be recorded in the proper record of titles to real estate, and will convey the title to the land, and shall be presumptive evidence of the

regularity of all prior proceedings. The purchaser from the time of filing such deed for record in the proper office acquires the lien of the tax on the land, and if he subsequently pays any taxes levied on the same, he shall have the same lien for those, and may add them to the amount paid by him in the purchase.

§ 57. The treasurer is required to demand fifty cents for each deed made by him on such sales, but any number of parcels of land bought by one person may be included in one deed as may be desired by the purchaser.

§ 58. Real property so sold shall be subject to redemption as follows: At any time before the expiration of two years from the date of sale, it may be redeemed by paying the amount paid by the purchaser, including costs and any other taxes on the property paid by such purchaser, with twenty-five per centum per annum thereon; such payment may be made to the purchaser, his agent or attorney, or to the treasurer, who shall enter a memorandum of the redemption, stating date, and amount paid in the list of sales, and give a certificate thereof to the redemptioner, and hold the money paid to the use of the purchaser, and shall enter satisfaction on the record as in case of mortgages, when so redeemed by the proper record or bona fide owner.

§ 59. Any owner, partner, incumbrancer, or party having a lien on, or interest in any real estate so sold, shall have the right to redeem the same by paying to the possessor of the title acquired by such sale, or to the treasurer the whole amount of tax paid by such purchaser, including all costs and interests as hereinbefore stated, and the person so redeeming shall be entitled to receive from such purchaser a quit claim deed, which shall in like manner be recorded.

§ 60. If real property sold at such sale be not redeemed within two years from the date of the sale thereof, at any time thereafter, the holder of the title conveyed by the treasurer's deed may enter upon such real estate, and use, enjoy and improve the same, as the owner thereof, and acquire all rights and be subject to all the provisions of the law in relation to occupying claimants, so far as the same are applicable, and if such property be not redeemed by the proper owner thereof within five years from the day of sale, the title thereto shall become absolute, and vest in fee simple in the record owner of the title conveyed by the treasurer's deed to the purchaser.

at such tax sale subject to the provisions of the statute of limitations.

§ 61. The title conveyed by the treasurer's deed as herein provided, shall be transferable by deed or otherwise, and the person holding such title shall have priority of right to pay all taxes subsequently levied upon the real estate described in such deed.

§ 62. In all questions of right, and in all suits arising under the provisions of this act, no plea shall be sufficient to affect the rights of the bona fide possessor of such tax title as herein provided; except,

1st. That the taxes for which the property was sold, were paid before the sale by the treasurer for such taxes, and such plea shall not affect the occupants right to pay for all improvements passing with the land, and made in good faith without notice.

2d. Any plea of which substantial notice in writing was given to the treasurer aforesaid before the execution of the deed to the purchaser.

3d. Any plea of which substantial written notice was given to the purchaser or his agent, or assignee, which shall however only have effect from and after the time of such notice, and shall affect subsequent assignees also, they having resource on their assignors, unless such notice is passed with the assignment or transfer of title.

§ 63. When by mistake or wrongful act of the treasurer, land has been sold on which no tax was due at the time, the county is to hold the purchaser harmless by paying him the amount of principal and interest and costs to which he would have been entitled had the land been rightfully sold, and the treasurer and his sureties will be liable to the county for the amount on his official bond, or the purchaser, or his assignee may recover directly of the treasurer.

§ 64. A tax for State purposes shall be levied upon peddlers of watches, jewelry and clocks, dry goods, fancy articles, notions, patent medicines or other merchandise not manufactured in this State; for a license to peddle throughout the State for one year as follows: upon each peddler of watches or jewelry, or either of them, thirty dollars; upon each peddler of clocks fifty dollars; upon each peddler of dry goods, fancy articles, notions, or patent medicines, as follows: upon each foot peddler thereof, ten dollars; upon each peddler who pursues his occupation with a vehicle drawn by one animal, twenty-five dollars; if drawn by two and less than four ani-

mals, fifty dollars ; if drawn by four or more animals, seventy-five dollars.

§ 65. Such license may be obtained from the judge of any county upon paying the proper tax to the treasurer thereof, and license may issue for a less period than one year, for the proportionate amount of tax, and all such license shall state the date of the expiration of the same, and any person so peddling without a license or after the expiration of his license is guilty of a misdemeanor, and the person actually peddling is liable whether he be the owner of the goods or not.

§ 66. Each county is responsible to the State for the full amount of tax levied for State purposes, excepting such amounts as are certified to be unavailable, double or erroneous assessments as hereinafter provided.

§ 67. If any county treasurer prove to be a defaulter to any amount for State revenue, such amount shall be made up to the State within the next three coming years, by additional levies in such manner as to annual amounts, as the county judge may direct. In such cases the county can have recourse to the official bond of the treasurer for indemnity.

§ 68. When interest is due and allowed by the treasurer of any county or the State treasurer on redemption of Auditor's warrants, or county warrants, the same shall be receipted on the warrants by the holder of the same, with the date of the payment, and no interest shall be allowed by the Auditor of State or county Judge, except such as is thus receipted.

§ 69. If the State treasurer or county treasurer discount Auditor's warrants at less than the amount due thereon, either directly or indirectly through third persons, they shall be liable to a fine not exceeding one thousand dollars for the benefit of common schools, to be prosecuted as other fines, and the payee of the warrant may be a witness on the trial.

§ 70. County treasurers shall be liable to a like fine for loaning out, or in any manner using for private purposes State funds in their hands, and the State treasurer shall be liable to a fine of not more than ten thousand dollars for a like misdemeanor, to be prosecuted by the Attorney General in the name of the State for the benefit of common schools.

§ 71. On the fifteenth day of January and September of each

year, the county Judge shall make a full and complete settlement with the county treasurer as now required by the Code, and he shall make and certify to the Auditor of State all credits to the treasurer for double or erroneous assessments, and unavailable taxes, also all dues for State revenue, interest or delinquent taxes, sales of land, peddlers license and other dues, if any, also the amount collected for these several items, and revenue still delinquent each year to itself, said reports shall be forwarded by mail.

§ 72. The county treasurer shall make and transmit to the Auditor of State, on or before the 10th day of every month a statement under oath showing the amount of money in his hands due the State on the last day of the preceding month, and he shall each year unless otherwise directed by the State Auditor, pay into the State treasury on or before the 10th day of February, all the money due the State remaining in his hands on the 15th day of January, and on or before the 10th day of October, all the money due the State remaining in his hands on the 15th day of September, he shall also at any time when directed by the Auditor of State, forthwith pay into the State treasury, to the treasurer of any other county, or to any bank incorporated under the laws of the State, any, or all the money due the State, and remaining in his hands or to hold the same subject to his order.

§ 73. The State Auditor may require any county treasurer to make his payment through any other county treasurer, or through any banking house chartered by law, but any payment made in pursuance of such requirement of the Auditor, shall be a release to the county of its liabilities to the State, to the amount so paid.

§ 74. County treasurers shall in all cases collect the interest on delinquent taxes as fixed by law, for which if uncollected, the county Judge shall charge him in an account removable only for good cause.

§ 75. Tax payers upon payment of taxes shall take duplicate receipts which shall show the amount of each district, and the interest on each and upon which shall be written or printed the words, "one receipt to be left with the county Judge," and the words, "duplicate surrendered." They shall present them to the county Judge, who shall retain and file one and charge the several amounts to the treasurer in separate accounts; on the other receipt he shall sign the words, "duplicate surrendered," and deliver the same

to the tax payer, and no receipt for taxes shall be held as evidence of the payment thereof, without such signature of the county Judge.

§ 76. When any officer or other person pays the county treasurer any sum of money for revenue or school purposes, he shall likewise take duplicate receipts, specifying to what fund the payment was made, one of which he shall deposit with the county Judge as provided in the preceding section.

§ 77. The State Auditor shall make and transmit to each county Judge on the first day of September of each year a statement of the county treasurer's account with the State treasury, and if the county Judge finds the same to be incorrect in any particular, he shall forthwith certify the facts in relation to the same, to the Auditor of State.

§ 78. When a county treasurer goes out of office he shall make a full and complete settlement with the county Judge, and deliver up all books, papers, monies, and all other property appertaining to the office, to his successor, taking his receipt therefor; the county Judge shall make a statement (so far as State dues are concerned,) to the Auditor of State, showing all charges for whatever purposes which have been created against the treasurer during his term of office, and all credits which have been made; the delinquent taxes and other unfinished business charged over to his successor, and the amount of money paid over to his successor, showing to what year and to what accounts the amount so paid over belongs. He shall also see that the books of the treasurer are correctly balanced before being passed into the possession and control of the treasurer elect.

§ 79. When any officer or other person pay the State Treasurer any sum of money for revenue, or school purposes, he shall take duplicate receipts therefor, one of which he shall file with the Auditor of State, who shall charge the same to the Treasurer in account of the proper fund.

§ 80. The State Treasurer shall keep each district fund coming into his possession as public money in a separate apartment of his safe, and each quarterly settlement with State Auditor, he shall count each fund in the presence of the Auditor to see if the same agrees with the balance found on the books. The total amount acknowledged to belong to each fund shall be exhibited before the count, and County Treasurers shall account with the County Judge in like manner.

§ 81. Any County Judge neglecting or refusing to comply with this act, shall be liable to a fine in any sum not exceeding one thousand dollars, to be prosecuted by the Attorney General, or District Attorney, for the benefit of common schools.

§ 82. The Treasurer of State shall keep in the safe in his office all moneys received by him as such Treasurer, until the same is withdrawn therefrom upon warrants issued by the Auditor of State in accordance with law. The Treasurer shall not deposit any of the moneys received by him as Treasurer with, or lend any portion thereof to any person or persons, or associations of persons whatever, or to company incorporated or unincorporated, nor shall he in any manner whatever allow said moneys, or any part thereof, to be withdrawn from said safe or used in any manner whatever, otherwise than may be provided by law.

§ 83. Should the Treasurer of State at any time violate any of the provisions of Section eighty-two of this act, he shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than five thousand dollars, nor more than twenty thousand dollars, and imprisoned in the county jail not less than one year, nor more than five years, or both at the discretion of the Court.

§ 84. All acts and parts of acts conflicting with this act are hereby repealed, so far as they conflict with this act.

STEPHEN B. SHELLDY,

Speaker of the House of Representatives.

DANIEL ANDERSON,

President pro tem. of the Senate.

Approved March 22d, 1853. }
RALPH P. LOWE. }

I hereby certify that the foregoing is a true copy from the original roll on file in my office.

ELIJAH SELLS, Secretary of State.